

FINAL REPORT
ON THE
SURVEY AND SETTLEMENT OPERATIONS
IN THE
RIPARIAN AREA OF DISTRICT TIPPERA

CONDUCTED WITH THE
FARIDPUR DISTRICT SETTLEMENT,

1909 TO 1915

BY
B. C. PRANCE, I.C.S.,
Settlement Officer, Faridpur.

ब्रह्मसंहिता



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No. XXV-1473, dated Calcutta, the 23rd December 1916.

From—M. O. McALPIN, Esq., I.C.S., Director of Land Records, Bengal,
To—The Secretary to the Government of Bengal, Revenue Department.

I HAVE the honour to submit herewith, for the information of Government, a final report on the survey and settlement operations on the riparian areas of district Tippera surveyed in the course of the Faridpur district settlement.

2. The report is really a supplement to the Faridpur Settlement Report. It therefore calls for new detailed remarks. It has been prepared by Mr. B. C. Prance, I.C.S., who was Settlement Officer during the latter part of the operations.

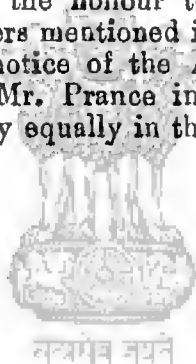
3. No statistical statements have been appended to the report. These will be incorporated in the statistics of the Tippera district operations.

4. It will be noted (*vide* paragraph 16) that in spite of the proximity of Bakarganj and Faridpur the system of land tenure prevalent there had not spread to Tippera to an appreciable extent.

5. In paragraph 19 Mr. Prance compares the incidence of rent in Government estates with that in estates owned by private proprietors. It is remarkable how the former is considerably lower than the latter. As a result of resettlement in the several estates in which land revenue has been settled though the rate of rent in Government estates has been raised to Rs. 2-8 an acre (*vide* paragraph 57), nevertheless it is even now lower than the rates in the private estates.

6. Reports on diara resumption and cess revaluation are contained in paragraphs 46 and 65-69 of the report to which the attention of the Board may be drawn.

7. In conclusion, I have the honour to endorse the remarks made by Mr. Prance on the different officers mentioned in paragraph 75 and to request they may be brought to the notice of the Appointment Department. The remarks I have made regarding Mr. Prance in connection with the Faridpur and the Pabna final reports apply equally in this case.



No. 535, dated Calcutta, the 19th January 1917.

From—KHAN BAHADUR M. A. MOMEN, B.A., Under-Secretary to the Government of Bengal, Revenue Department,

To—The Director of Land Records, Bengal.

I AM directed to acknowledge receipt of your letter No, ^{XXV}₂₀-1473, dated the 23rd December 1916, submitting the final report on the survey and settlement operations in the riparian area of district Tippera conducted with the Faridpur district settlement.

2. The attention of the Board of Revenue has been drawn to paragraphs 46 and 65-69 of the report regarding cess revaluation and diara resumption.

3. The Governor in Council notices with pleasure the good work done in connection with the operations by Mr. B. C. Prance and several officers mentioned in paragraph 75 of the report. Their services will be brought to the notice of the Appointment Department of this Government.



FINAL REPORT
ON THE
SURVEY AND SETTLEMENT OPERATIONS
IN THE
RIPARIAN AREA OF DISTRICT TIPPERA
CONDUCTED WITH THE
FARIDPUR DISTRICT SETTLEMENT.

CHAPTER I.

The land and the people.

1. The area with which this report deals is a strip of land in the district of Tippera in thanas Chāndpur and Matlabganj on the banks of the Meghnā opposite to the districts of Faridpur and Dacca. It extends from the Noākhālī boundary on the south for a distance of about 30 miles northwards, to the point where two branches of the Meghnā meet near Sātnal, up to which point the opposite Dacca bank was surveyed with Faridpur. The breadth on the average is four miles, but it varies from two miles to six miles, as the whole of a revenue survey village was either included or excluded, and where new accretions had formed, in order to obtain points of coincidence with the Revenue Survey, it was necessary to take up more villages than in parts where diluvion had taken place. The area was 166 square miles, of which 45 square miles lie in the river Meghnā between the bank and the district boundary. A map appended to this report shows the area dealt with. The main stream of the river, which is the district boundary, lay chiefly along the Tippera bank, so that the large islands, except that separated from the mainland by the Mohanpur Khāl, all fall in Faridpur.

2. This area is intersected by numerous small water channels which the cold weather are nearly dry at low tide, but at high tide from March onwards are scarcely fordable. These channels have a marked influence on the system of agriculture as they render the jute crop to a large extent independent of the rainfall and make early sowing possible. They also increase the fertility of the soil by distributing the silt brought down by the Meghnā. Homesteads generally straggle along the banks of these tidal creeks and a compact village is exceptional. Gardens of areca-nut palms (*supāri*) are another marked feature of this strip especially in the villages to the south of Chāndpur where the whole village often appears to be one vast garden. In the south there is a large block of about 29 square miles of accretion of from 10 to 40 years' standing, chiefly comprised in Government estates round Hāim Char. In the north there is a large island with an area of about 8 square miles separated from the mainland by the Mohanpur Khāl, but the greater part of it has been in continuous existence for over 60 years though cursory examination would not reveal this. There are small new accretions in other places and especially near Gomti river, but three quarters of the area surveyed is land of more than 100 years' standing. There appears to be a slight tendency of the Meghnā to move eastwards and to increase Dacca and Faridpur at the expense of Tippera, but the tendency is not pronounced as in the case of the Ganges between Faridpur and Dacca. The south, where Tippera has gained what

appears to be a permanent addition of 30 square miles, is an exception to the eastward movement. The river Gomti which is a branch of the Meghnā rejoins its parent river between Matlabganj and Chāndpur thanas and the river Dākātiā also joins the Meghnā at Chāndpur.

3. Of the 166 square miles, 45 square miles lie in the river Meghnā on the boundary, 2 square miles in the Mohanpur Khāl, 1 square mile in the Gomti and Dākātiā rivers and 7 square miles in small streams and creeks, leaving a nett land area of 111 square miles or more exactly 70,698 acres. Of the land, 57,763 acres or 82 per cent. was under cultivation in the year of survey, 3,377 acres or 5 per cent. was culturable but not under cultivation, and 9,558 acres or 13 per cent. was unculturable. The proportion of land under cultivation is very high in comparison with Bākarganj where it is only 70 per cent. and higher than Faridpur where it is 80 per cent.

4. The following table summarises the details of the uncultivated area.

Culturable.			Unculturable.		
		Acres.			Acres.
Old fallow ...	...	578	Sites of houses, etc. ...	...	4,688
New fallow ...	...	232	Tanks and ditches ...	...	2,033
Bamboos ...	...	61	Roads and tracks ...	...	620
Thatching grass ...	...	451	Marsh ...	...	129
Reeds ...	...	1,558	Sand (char) ...	...	1,004
Miscellaneous ...	...	497	Miscellaneous ...	...	1,084
		3,377			9,558

The area culturable but not cultivated is very small, the percentage being only 5 as compared with 8 in Faridpur, while the 2 per cent. covered by reeds is nearly all in the new accretion in Char Korāliā and Char Isānbālā which will certainly be brought under cultivation shortly. Reeds are deliberately grown to increase the deposit of silt so as to raise the *char* that it may be brought under cultivation. The proportion of fallow land, both old and new, is noticeably small. Less bamboos are grown than in neighbouring districts, probably because other crops are more profitable and because bamboos are largely imported from Hill Tippera whence they are floated down in big rafts in the rains. Of the unculturable area nearly half is occupied by sites of houses, ditches are numerous, but roads and tracks few. Sand covers only $1\frac{1}{2}$ per cent. as compared with 6 per cent. in the Pābnā river strip, as the new accretion are generally muddy and capable of bearing crops as soon as they form instead of remaining unculturable for some years as in the Gānges and Jamunā. When a *char* first forms, *boro* paddy is grown for one or two years, then as it become higher reeds are allowed to grow for a year or two and then it is finally brought under regular cultivation.

5. Most of the travelling of the people and all movement of crops is accomplished by boat and steamer. Roads are few and are not required. There is a District Board road from Chāndpur to Comilla, and a road which originally ran from Chāndpur to Raipur *via* Narsinghpur but from Chāndpur to Lakshmipur it has been washed away by the river. A new road was constructed from the Hāim Char Khās Katchāri to Hānār Char just after the survey and so does not appear in the maps. Chāndpur is the terminus of the Assam-Bengal Railway and is an important town for this reason as well as for the big jute trade which it carries on. There are steamer stations at Chāndpur, Narsinghpur, Mohanpur and Sātnal. As compared with Eastern Bengal generally the area may be said to be well off in the facilities for communication.

6. As such a small part of any thana was surveyed and census figure do not follow village boundaries strictly, it is impossible to calculate the density of the population. The majority of the inhabitants are Muhammadan cultivators who are very prosperous. Chāndpur town contains a large non-agricultural population but

outside its limits the inhabitants are almost entirely dependent on agriculture. Narsinghpur and Mohanpur are the two large and ancient bazars but they have decayed with the rise of Clāndpur which has been very rapid in recent years.

CHAPTER II.

Agriculture.

7. The soil is a light loam. The new accretions are generally composed of a light clay which is extremely fertile and sand unmixed with mud is rare. The land is more fertile than that of Faridpur considered as a whole but similar to the part thana of Pālang to which it is adjacent.

8. The climate is very like that of Barisāl and its most striking characteristics are the extreme dampness at all times of the year, the absence of great heat, and the violence and frequency of storms (nor'westers) from March till May.

9. The fertility of the soil, the variety of the crops and independence of rainfall renders famine impossible and scarcity rare in this area. There is a tradition of a plague killing the *supāri* trees in the early part of the nineteenth century which led to the scarcity and the relapse of large tracts to jungle, but so long as a demand for jute at a fair price continues this area is saved from any fear of calamity.

10. Of the total land area 57,763 acres or 82 per cent. are under cultivation, of which 7,378 acres are covered by gardens and 50,385 acres are cropped. 14,403 acres bear two crops so that the gross cropped area is 64,403 acres. The area twice cropped is 28 per cent. of the nett cropped area, as compared to 33 per cent. in Faridpur, 30 in the Pābnā strip and 14 per cent. in Bākarganj.

11. The following statement shows the different crops grown—

Name of crop.	Area on acres.	Percentage of nett cropped area.	Name of crop.	Area in acres.	Percentage of nett cropped area.
<i>Cereals and pulses.</i>			<i>Oilseeds.</i>		
Rice { aman ...	20,761	41.2	Linseed (<i>sisī</i>) ...	47	.1
{ aus ...	11,584	23.0	Gingelly (<i>giz</i>) ...	1,931	3.9
{ boro ...	304	.6	Mustard ...	465	.9
Wheat ...	35	.1		2,443	4.9
Barley ...	26	...			
Lathyrus sativus (<i>khesāri</i>) ...	2,520	5.0			
Ervumilens (<i>musuri</i>) ...	783	1.6	Sugarcane ...	117	.2
Mung ...	151	.3	Spices and condiments ...	3,481	6.9
Other food-grains ...	1,234	2.4	Tobacco ...	53	.1
Total ...	37,398	74.2	Potatoes ...	50	.1
<i>Fibres.</i>			Fodder crops ...	NH	...
Jute ...	20,803	41.3	Betel (<i>pān</i>) ...	58	.1
				64,403	127.8

A rice crop is grown on 65 per cent. of the land and jute on 41 per cent,

The crops grown. Rice is grown after jute only to a small extent, as unless there is rain exactly at the right time it is not successful. Indigo was formerly grown to a considerable extent in the *chars*, as the ruins of factories and tradition show but little has been grown within the last fifty and none within the last twenty years. *Supāri* gardens were formerly more extensive than at present, and have been replaced by jute.

The crops of the different seasons. 12. The distribution of crops between the different seasons is as follows:—

			Area in acres.	Per centage of gross cropped area.
Autumn crops	...	...	32,656	51
Winter	...	...	20,878	32
Spring	...	...	10,869	17
Total	...	...	64,403	100

13. Though rice covers a larger area than jute, jute is really the most important crop. All cultivators depend upon it entirely for comfort and largely to provide the money to purchase rice. The extension of its cultivation has increased the prosperity of tenants greatly and the spread of expensive houses roofed with corrugated iron clearly shows this. The jute crop never fails and crops on all lands which get a deposit of silt are generally very heavy, though the fibre is not of the best quality. Early sowing is the rule and early cutting is general especially in the *chars*.

Winter rice covers 41 per cent. autumn rice 23 and *boro* rice less than 1 per cent. of the net cropped area. The classification of rice into the different seasons is a matter of difficulty and much of the early *āus* rice grown in the *chars* might equally well have been classified as *boro*. Generally both *āus* and *āman* are sown broadcast, but *āman* rice when grown after jute is transplanted and both *boro* and the early *āus* grown in the new accretion are transplanted. New lands give a very heavy crop, though if the flood rises too fast, a part, of it is lost.

14. Amongst the other crops chillies are the most profitable as they often give a better return per acre than jute. They are most successfully grown in the south, in Char Bhairabi and neighbouring mauzas. *Til* (gingelly) is grown on nearly 4 per cent. of the cropped area sometimes as a spring crop, but more often as a summer crop mixed with *āman* rice. Of the pulses *khesāri* covers 5 per cent. Pulses are often grown as fodder crops, though as no record was made of this they have been classed as food crops.

15. Orchards cover 7,378 acres or 13 per cent. of the area under cultivation. The areca nut palm (*supāri*) is the most important fruit tree, and though mangoes, jack fruit, and cocoanuts are numerous round the homesteads, the *supāri* is the only tree grown in regular orchards. Especially in the villages between Chāndpur and Narsinghpur are these plantations extensive and it is possible to walk some miles entirely through gardens without seeing an open field. The cultivation of the areca nut palm has been so fully described in the Bākarganj report, that nothing further is left to be said about it. The orchards of Tippera are not so prolific as those of Bākarganj and do not seem to be as extensive now as they were formerly, probably on account of the increased distance from the sea coast.

CHAPTER III.

Land Tenure.

16. Considering the proximity of Bākarganj it is surprising that the system of land tenure prevalent there has not spread to Tippera to an appreciable extent, though it prevails in thana Pālang across the river which was formerly part of district Bākarganj. The features of the land tenure of this area are estates generally small though a little larger and less numerous than in Faridpur, a few tenures dating back before the permanent settlement usually called *sikimi tāluks* with a limited number of tenures of modern creation. Both classes

hold most of their lands in severalty without any of the intricacies of the Bākāganj system. The estates are chiefly small *khārījā-tālūks*.

17. The land is occupied by different classes of tenants as follows :—

Occupation of the land.				Areas.	Per cent.
Proprietors	...	...	...	2,394	3
Rent-paying tenure-holders	...	...	...	5,214	7
Rent free	"	...	...	53	..
Public and public departments	...	...	...	2,713	4
Occupants and shop-keepers	...	...	...	92	...
Cash-paying raiyats	...	...	...	58,411	80
Produce-paying raiyats	...	...	...	260	...
Rent-free raiyats	...	...	...	124	...
Cash-paying under-raiyats	...	...	...	3,626	5
Produce-paying	"	...	...	414	1
Rent-free	"	...	...	36	...
Total				73,337	...

The lands occupied by proprietors are chiefly unculturable, two-thirds of this area consisting of Government lands not yet leased to tenants in the Khās Māhāl. The lands occupied by the public and public departments consists chiefly of roads, tracks and streams.

Lands liable to pay rent but at present paying no rent have been classed with rent-paying lands.

18. Raiyats hold 62,871 acres or 86 per cent. of the land. Out of this they occupy 58,795 acres and sublet 4,068 acres to under-raiyats. They were classified as follows :—

	Number.	Area.	Average size of holding in acres.
Raiyats at fixed rates	1,046	3,805	3·6
Cash-paying settled and occupancy raiyats	20,973	53,318	2·5
Cash-paying non-occupancy raiyats	1,450	4,692	3·2
Produce-paying raiyats	255	341	1·4
Raiyats paying no rent but liable to rent	200	555	2·7
Rent-free raiyats	217	150	·8
Total	24,141	62,873	2·6

The average size of a holding is 2·6 acres as compared with 1·5 acres in Faridpur and 1·2 acres in the Pābnā river strip.

Lands held by raiyats. That the size of the holding of a non-occupancy raiyat is greater than that of a settled raiyat is due to the fact that non-occupancy raiyats hold most of their land in the Khās Māhāls in the south where all holdings are large. Raiyats at fixed rates number only 1,046 and hold less than 7 per cent. of the total land held by raiyats. Most of them were thus recorded because they successfully raised the presumption that their rent had never been enhanced by proving uniform payment for more than 20 years, but a few had secured this right by contract. Settled raiyats number 20,478 and hold 84 per cent. of the total land held by the raiyats. Occupancy raiyats who were not settled raiyats of the village hold only 50 acres, and had generally obtained their rights by contract with their landlord after payment of *selāmi*. Non-occupancy raiyats were found almost exclusively in the new accretions and chiefly in the Khās Māhāls in the south. Only 255 raiyats pay a produce-rent and they occupied only 7 per cent. of the land under cultivation as compared with 20 per cent. in the Pābnā river strip and 8 per cent. in Faridpur. All except 2 of them were classified as settled raiyats of the village, though local custom regards them as tenants-at-will. Of the 217 grants free of rent to raiyats 159 were *chāk-rān*, granted to barbers, washermen and others for service and the remaining 58 were very small grants for religious purposes. The land was granted free of rent to raiyats both for service and other purposes and was generally cultivated and not sublet.

19. The rents paid by raiyats for the areas which they held are :—

			Area,	Rent.	Rate per		
			Rs.	Rs.	Rs.	A.	P.
Raiyats at fixed rates	...	...	3,805	11,608	3	0	6
Settled and occupancy raiyats	...	...	53,318	1,34,014	2	8	3
Non-occupancy raiyats	...	...	4,692	9,285	1	15	8
Total			61,815	1,54,907	2	8	1

The curious result of the above table showing that the older the rent the higher it is, is due chiefly to the large area of Government estates within the strip, in which much land has been recently leased at very low rates to non-occupancy raiyats and in which the settled raiyats are paying rents at rates about half those in the permanently-settled estates. If the villages in which Government is proprietor of more than half the mauza or has settled rents in a temporarily-settled private estate be excluded, raiyats are found to be paying at the rate of Rs. 3 per acre for 36,000 acres, while in the villages in which Government has the preponderating interest raiyats are paying at the rate of Re. 1-3 for 25,800 acres. The contrast is the more remarkable in that the land in the Government estates is on the whole considerably more fertile than that of the permanently-settled estates.

20. Transfer of raiyati-holdings occur with some degree of frequency but except in the Khās Māhāls *selāmi* is always demanded and generally paid. The statistics collected are certainly incomplete, but probably the cases collected are representative of those omitted. They showed the sale of 2 per cent. of the land held by raiyats at a cash rent within the last ten years. Two hundred and thirty-four raiyats had sold the whole of their holdings containing 360 acres and 1,008 raiyats had sold parts of their holdings covering 980 acres. The purchasers were raiyats in 1,165 cases, money-lenders in only 57 cases and landlords and lawyers in 20 cases. Only 10 raiyats still occupied the land which they had sold and only one of them paid a produce rent. The sale price was Rs. 175 per acre, which is high in comparison with the Pābnā strip where it was only Rs. 75 per acre.

21. The following table shows the statistics which were collected in regard to mortgages :—

Nature of mortgage.	Number.	Area in acres.	Price.	Price per acre.
			Rs.	Rs.
Simple	39	51	14,375	281
Usufructuary in lieu of interest only.	784	401	1,06,686	266
Usufructuary in lieu of interest and capital.	681	537	73,599	137

The information in regard to usufructuary mortgages is complete but there is no doubt that many simple mortgages were omitted in the collection of the above figures. Mortgage of holdings. The area under usufructuary mortgages was a little over one and-a-half per cent. of the total area held by raiyats at a cash rent as compared with one-third per cent. in Faridpur and one per cent. in the Pābnā river strip. The amount advanced per acre on mortgages in lieu of interest and capital was double that in Pābnā river strip and for mortgages in lieu of interest only three times the Pābnā figure, which is a good index of the relative productivity of the land and the prosperity of the people. In the case of simple mortgage the rate of interest was generally 37½ per cent. but sometimes 25 per cent. In the case of usufructuary mortgage in lieu of interest

and capital the average period was six years. In the large majority of cases the mortgage was to another raiyat.

22. Four-thousand two-hundred and fifty-eight under-raiyats occupy 3,976 acres or 6½ per cent. of the lands for which raiyats pay a cash rent. Amongst them 3,276 under-raiyats of the first grade pay a cash rent of Rs. 25,627 for 3,498 acres, or at the rate of Rs. 7-5 per acre, 275 under-raiyats of the second grade pay a cash rent of Rs. 1,512 for an area of 125 acres or at the rate of Rs. 12 per acre, 402 under-raiyats pay a produce rent for 415 acres, and the remainder are rent-free tenants or squatters with whom no settlement has been made. Section 48 is totally disregarded in the area and no attempt was made to enforce it at attestation, as it would have resulted in ejection and possibly in the introduction of tenant at even higher produce rents. Raiyats also avail themselves of the loophole which the Courts have allowed them by generally retaining small areas in their own possession while subletting the greater parts of their land. Under-raiyats paying excessive rents are chiefly found in the villages near to Chāndpur, especially on the south side and also in the Khās Māhāl Char Bhairabi. In Char Bhairabi before the resettlement of land revenue raiyats were paying Re. 1-8 per acre to Government, but they sublet 244 acres or about one-tenth of their holdings to under-raiyats for Rs. 2,927 at a rate of Rs. 12 per acre and 24 acres at a *dhān karārī* (fixed amount of paddy) rent equivalent to a rate of Rs. 28 per acre.

23. The following table shows the division of land between estates of different classes :—

	Number of estates.	Area in acres.
Permanently settled at the permanent settlement and settlement unbroken, or purchased and again settled permanently.	307	34,333
Permanently settled after the permanent settlement—		
(a) Resumed lākherāj	1	129
(b) Resumed alluvion	14	4,607
Under temporary settlement—		
(a) Permanently-settled estates purchased by Government.	15	10,686
(b) Government alluvial islands	22	20,527
(c) Temporarily-settled private accretions	19	2,867
Revenue free—		
(a) Estates on Register B, Part I	10	33
(b) Estates on Register B, Part II	13	255

Estates of alluvial origin cover 28,001 acres out of a total of 73,337 acres. Estates under a permanent settlement cover 38,969 acres, estates under temporary settlement an area of 34,080 acres and revenue-free estates 288 acres.

The alluvial estates permanently settled are paying a revenue of Rs. 6,119 for 4,607 acres at the rate of Re. 1-5 per acre and the right to the permanent settlement was generally sold by auction at high price and therefore the sacrifice of revenue has not been great. In the Government purchased estates in which the revenue was not resettled, the revenue is Rs. 10,740 for 9,076 acres, while in the estates resettled it will be Rs. 3,106 for 1,610 acres. In the Government alluvial estates in which the revenue was not resettled the revenue is Rs. 18,850 for 11,304 acres, while in estates resettled, it will be Rs. 21,837 for 9,223 acres. In the temporarily-settled estates not under resettlement the revenue is Rs. 1,876 for 1,276 acres, while in the estates resettled it will be Rs. 1,506 for 768 acres. In the new diārā estates the revenue will be Rs. 1,784 for 823 acres. Only a small part of the larger permanently-settled estates was surveyed, so that the revenue paid for the area cannot be ascertained. The rate of revenue is surprisingly small in the Government estates and especially in the purchased estates. Within the ten years previous to the settlement the proprietary rights of shares of 37 estates had changed hands by sale. The proportionate revenue of these shares was Rs. 972 but the sale price was Rs. 52,000.

History of the larger parganas. 24. The following is a short history of the chief parganas which have lands within the area under report:

Majjaddi.—The zemindari was divided into three shares, seven annas, seven annas, and two annas from a time so remote that the reason for the division cannot be ascertained. About 1195 B. S. one seven-annas share was held by the descendants of Rahamatulla, Mahamad Daim and others of Gāchua in Bākarganj district, the other seven annas share by Amanulla and Faijulla, and the two annas share by the wife of Lala Kirti Narayan Roy of Srinagar. The Decennial Settlement was made separately for the three shares with revenues of Rs. 1,352, Rs. 945 and Rs. 1,220-9-14 respectively, and after tāluks were made *khārii* the revenues in 1206 B. S. were Rs. 823, Rs. 623-7-1 and Rs. 1,352, the smallest share having the largest revenue. After several transfers the Bazoāpti Pals purchased the seven annas share of Rahamatulla in 1241 B. S. which they still possess and the revenue on conversion from sicca rupees became Rs. 873-4-5 (Tauzi No. 173). The other seven annas share and the two annas share were purchased by Government for arrears of revenue about 1836 and have been amalgamated as estate 1973 which still belongs to Government.

Pargana Purchandi was apparently named after Purandra Charan and Chandi Charan Roy, father and son living six generations before the Permanent Settlement. Ram Chandra fourth in descent from Purandra divided it into two shares, nine annas for his elder son Raghu Ram and seven annas for his younger son Srikrishna. Of the nine annas share of Raghu Ram eight annas descended to his grandson (8th in descent) Bhairabānanda and one anna was purchased by Raj Narayan. The seven annas share of Srikrishna was divided, four annas to his elder son Ramdeb who sold it to the Ghattaks of Nariā in Faridpur and three annas to his younger son Kam Deb. The permanent settlement was made with Bhairabendra, Raj Narāyan, the Ghattaks and Kam Deb with separate revenues. For each *khālīsha* share there was a corresponding *nawāra* estate. Of the *khālīsha* estates twelve annas descended from the shares of Bhairabānanda, Kam Deb and one quarter of the Ghattaks' share, were purchased by Government at different times and formed into estate 1867 together with 3 annas *nawāra* of Kam Deb and one quarter of the Ghattaks' *nawāra* estate. One anna *nawāra* of Raj Narayan was purchased by Government and became tauzi No. 1984, and eight annas *nawāra* was purchased by Government and used to be tauzi No. 1879 which has recently been amalgamated with 1867. Government purchased the three annas *nawāra* remaining to the Ghattaks, but again settled it permanently (Tauzi No. 209) while the original one anna *khālīsha* of the pargana remains as tauzi No. 648 and the three annas *khālīsha* of the Ghattaks as Tauzi No. 697. Part of this pargana was washed away by the Meghnā, and on reformation was settled as Government and daimi estates in the *chars*, so that its identity has been lost.

Gunanandi.—The first zemindars were descended from the Bishnupur Raja of Bankura district, through Jagannāth who fled after the defeat of the Raja by Mansingh. The pargana is named after Gunanof Khan *alias* Nar Singh, the fourth in descent from Jagannāth. In consequence of cholera which depopulated this pargana and a plague which killed the *supāri* trees all shares of the pargana came up for auction at different dates between 1827 and 1835, and Government purchased the 15 annas 17½ gandas share now represented by estates 1859, 1860 and 1861.

Rāsulpur and its offshoot Joār Lālpur were, according to tradition, granted by the Nawab of Murshidābād to Maniruddin who served him as *munshi* and his descendants, the Choudhuris of Kārtikpur, district Faridpur, still hold the greater shares in the estates into which the pargana have been divided. The primary division of the pargana are into three shares of six annas, five annas and five annas known as the *chhoyāni*, *barā pānchāni* and *chhota pānchāni* corresponding to estate 148, 147, 146 of the Tippera roll (Joār Lālpur) and estates 241, 242, 243, of the Dacca roll (Rāsulpur).

In pargana South Sāhpur there is a tradition that the former owner Sheikh Serajuddin was dispossessed of his property by some Muhammadans and

called in Rājā Rāj Bāllābh to help him and that the Rājā exacted as the price of his help an eight-anna share for himself and a two-anna share for his son. This story accounts for this detached block of Rājnagar appearing in Tippera and also for the fact that the lands of pargana Rājnagar and South Sāhapur are joint.

In addition to the parganas described above the strip contain the lands of numerous *tāluka*s separated from Mahabbatpur and of some *tāluka*s of Amirābād and other parganas as well as part of the Faridpur pargana of Bāikanthapur.

CHAPTER IV.

The Present Settlement.

25. Proposals for a Survey and Settlement of the diara areas of adjacent districts along with the Faridpur District Settlement were first made to the Government of India by the Government of Bengal in their letter¹ of the 6th May as revised on the 3rd August 1904. The paragraph relating to the diara areas was as follows :—

Inasmuch as the diara lands in and adjoining this district give rise to numerous disputes, the local officers, the Director of Land Records and the Board of Revenue are unanimously of opinion that, if the scheme now proposed is sanctioned, the opportunity should be taken to make a survey of the whole of the diara area which lies between Faridpur, on the one side and the districts of Pānā, Dacca and Tippera on the other; that is to say, of all the land between the high banks of the river Padma. This proposal commends itself to the Lieutenant-Governor.

It was proposed that the work should begin in November 1904 and should be completed by September 1909. The Government of India sanctioned these proposals in their letter² dated 11th July 1904. The traverse survey of the first block of Faridpur began in November 1904, according to this programme, but the settlement operations were postponed for one year on account of trouble arising from the partition of Bengal and began in November 1906. As the yearly programme had been changed from 1,600 square miles to 800 square miles, the river strips fell in the third year so that traverse survey which was to be done in the same season as cadastral commenced in November 1908 and settlement in January 1909.

26. The diara areas were notified for survey and settlement in Notification No. 4891, dated the 20th December 1904 under section 101 of the Bengal Tenancy Act and in Notification No. 4883, of the same date under section 3 of the Bengal Survey Act. Subsequently by Notifications Nos. 325R. and 326R. of the 9th February 1909 and by Nos. 354R. and 355R. of the 12th February 1909, the area was extended to include the land of all revenue survey mauzās which fell wholly or partly within 5 miles from the main stream which forms the administrative boundary of the district of Faridpur, while by No. 1816R., dated 5th August 1910, the cess payable by each tenant to his landlord was added to the particulars previously ordered to be recorded.

27. According to the final notification the particulars which the record-of-rights was to contain were as follows :—

- (a) the name of each tenant or occupant.
- (b) the class to which each tenant belongs, that is to say, whether he is a tenure-holder, raiyat holding at fixed rates, settled raiyat,

¹ Revised letter No. 605T.R., dated 9th May 1904 from the Secretary to the Government of Bengal to the Secretary to the Government of India, Revenue and Agricultural Departments.

² Letter No. 959-213-2, dated 11th July 1904, from the Secretary to the Government of India, Department of Revenue and Agriculture, to the Secretary to the Government of Bengal, Revenue Department.

- occupancy raiyat, non-occupancy raiyat, or under-raiyat, and if, he is a tenure-holder, whether he is a permanent tenure-holder or not, and whether his rent is liable to enhancement during the continuance of his tenure ;
- (c) the situation and quantity and one or more of the boundaries of the land held by each tenant or occupier ;
 - (d) the name of each tenant's landlord ;
 - (e) the name of each proprietor with the character and extent of his interest, and the situation, quantity, and one or more of the boundaries of the lands, if any, which are his private lands as defined in Chapter XI of the Act ;
 - (f) the rent lawfully payable or deliverable in money or kind by each tenant at the time the record-of-rights is being prepared ;
 - (g) the mode by which that rent has been fixed, whether by contract, by order of Court or otherwise ;
 - (h) if the rent is a gradually increasing rent, the time at which, and the steps by which, it increases ;
 - (i) the cess lawfully payable by each tenant to his landlord at the time the record-of-rights is being prepared ;
 - (j) the special conditions and incidents, if any, of the tenancy ;
 - (k) any right-of-way or other easement attaching to the land for which the record-of-rights is being prepared ;
 - (l) if the land is claimed to be rent-free, whether or not rent is actually paid, if not paid whether or not the occupant is entitled to hold the land without payment of rent, and if so entitled, under what authority.

28. The record-of-rights was prepared in the following stages : Traverse

survey or the preparation by scientific survey of
 Outline of the method of work. plotted skeleton maps on the scale of 16" = 1 mile showing only theodolite stations fixed at convenient distances in the neighbourhood of village boundaries which have been demarcated on the ground by stones and pegs. In large villages subsidiary stations are laid down along subtraverse lines in the interior of the village so as to divide it into blocks of a convenient size for survey and also to help the amin in cases where jungle or other obstructions render survey difficult.

Cadastral survey or the filling in of the details of village and field boundaries on the skeleton maps previously prepared.

Record-writing (*khānāpurī*) or the entry in a khatīān volume of every tenancy which has land in the village, with the names of all possessors of the tenancy, and the plot numbers of fields of which it is composed, and the names of the landlords to whom rent is paid.

Local inspection (*buihārat*) or the examination of the survey of each field and the verification of the names of the possessors made in the field itself.

Attestation or the recording of the class to which each tenant belongs, the rent payable to the landlord for the tenancy and the special incidents of the tenancy, and the formal explanation of all entries previously made to the tenants and landlords.

Draft publication or the deposit of the record in a convenient place for inspection by the public for the period of one month.

Disposal of objections under section 103A. against any entry made in the draft record-of-rights or any boundary in the map.

Preparation of the rent-roll under section 104. This stage only takes place where a resettlement of revenue is about to be made in estates not settled permanently.

Final scrutiny (*jānch*) or the examination in office of the draft record to eliminate inconsistent entries and to supply omissions.

Preparation of the final record by printing the draft record after the incorporation of all changes ordered.

Publication of the final record and distribution of copies to landlords and tenants.

Recovery of costs under section 114 in areas in which resettlement of revenue has not been made.

Settlement of rents under section 105 and trial of cases under section 106 and section 108 A.

29. Mr. J. C. Jack, I.C.S., was Settlement Officer from the commencement of the work in January 1909 until his appointment as Director of Land Records on the

The superior staff.
10th April 1911. I joined as Assistant Settlement Officer in February 1909 and succeeded Mr. J. C. Jack as Settlement Officer in April 1911 and still hold the post. During my absence on leave from the 30th of May to the 1st December 1912 Mr. W. H. Thompson, I.C.S., acted as Settlement Officer.

The following Deputy Collectors and Sub-Deputy Collectors were employed in the different stages :—

Babu Pramatha Nath Datta	...	Cadastral, khānāpuri	...	January to June 1909.
		Cadastral to attestation	...	November 1909 to May 1910.
„ Upendra Kumar Mitter	...	Ditto	...	November 1909 to June 1910.
		Diara and Jamabandi	...	June 1912 to June 1913.
„ Radha Krishna Ghoswami	...	Cadastral to attestation	...	January 1910 to June 1910.
Maulvi Abdul Rashid	...	Ditto	...	Ditto.
„ Altaf Ali	...	Objections 103 A	...	August and September 1910.
Babu Kalipada Maitra	...	Ditto	...	July to September 1911.
„ Brajendra Nath Das Gupta	...	Ditto	...	Ditto.
„ Surendra Nath Sen Gupta	...	Ditto	...	Ditto.

Mr. I. Newton, Extra Assistant Superintendent of Survey, was professional adviser up till his transfer to Dacca in September 1910.

The following Kanangoes were employed in cadastral, *khānāpuri* and *bujhārat* :—

Babu Purnendra Nath Guha.	Maulvi Abdul Khalek.
Maulvi Karim Baksh.	„ Mohiuddin Ahamad.
Babu Hemongalal Das Gupta.	„ Golam Hydor.
„ Radha Charan Mandal.	Babu Asutosh Banerji.
„ Bhuban Mohan Shaha.	Maulvi Matiar Rahaman.
„ Mohini Mohan Choudhury.	Babu Jaladhar Ghosh.
„ Dwarika Nath Das.	Maulvi Minnat Ali.
Maulvi Saadat Ali.	„ Mazzafer Ali.
„ Abdur Razzak.	Babu Sita Nath Das Gupta.

30. Traverse survey was under the control of the Director of Surveys.

Mr. C. A. O'Donnel was in charge of the detachment which worked from November 1908 to March 1909 and completed about 116 square miles. In the following season the work was done under the supervision of the professional adviser Mr. Newton and 50 square miles were completed in November and December 1909. The density of the *supāri* gardens in the first season delayed the work and sheets did not begin to arrive till the end of January and continued to arrive in batches till the end of March. In the second season all sheets were ready by the beginning of January as the area dealt with was small and the work easier. The origin adopted was the intersection of north latitude 24°30' with east longitude 90°30', and the main magnetic variation was 1° east. Water covered 55 of the 166 square miles traversed but took as long to complete and cost as much as the traverse of the land area.

31. As the whole area dealt with was near the bank of the Meghnā it was necessary to erect boundary marks of greater permanence than the small stones put down at traverse. Concrete pillars 4 feet by 10 inches by 10 inches were placed on every traverse trijunction. In the lands subject to more violent fluvial action iron pillars 8 feet long were erected instead of concrete pillars. In addition to marking all traverse trijunction two traverse stations adjacent

to selected trijunctions were marked by pillars. These trijunctions were selected at intervals of from 2 to 3 miles down the internal boundary of the strip, and at the same distance along the high bank of the river where diluvion was unlikely, as starting points for relaying the old traverse or commencing a traverse of new accretions. Altogether 218 concrete pillars and 22 iron pillars were posted.

32. Cadastral survey started in February 1909 as soon as sufficient sheets were received from the traverse detachment. Owing to the delay in the receipt of the sheets and the fact that only three kanungoes were available it was impossible to take up cadastral survey of the whole block traversed and therefore cadastral was done only in about 30 square miles of the land area of 80 square miles traversed. In the south where accretion had taken place the work was easy and progress fast, but in the block between Chāndpur and Narsinghpur the density of the *supāri* gardens rendered the work difficult, and before much progress could be made it was necessary to secure better amins. Sheets along the river bank were taken up as far north as Safarmāli which was the northern limit of the traverse survey but villages in the interior had to be left for the following season. Both in this season and in the next it was necessary to double the usual contract rate of payment in difficult villages. Cadastral survey began again in November 1909 and the area left from the previous year was completed by January when the work on the block traversed during the two preceding months commenced. All the survey in the new block was easy and was completed in February 1910. The check of the internal plotting was very careful and *partial* amounted to 4 linear miles in every square mile which is double the standard laid down in the Director of Land Records' rules. Owing to the postponement of the Dacca Settlement additional kanungoes were available in the second season, so that all the *halkas* were small, which improved the quality of the work.

The urban portion of Chāndpur Municipality was surveyed on the scale of 64 inches to the mile. It had been very carefully traversed with a view to making this survey easy. The agricultural lands within the Municipality are extensive and were surveyed on the usual scale.

33. The procedure adopted for boundary disputes was that sanctioned by the Board for the later blocks of Faridpur, viz., the passing of a preliminary order during cadastral survey and a final order at attestation. There were two boundary disputes both relating to areas of less than two acres. In Durgābardi *versus* Marar Char the common manager appointed by the Judge put forward a false claim to possession because the land fell in his mauzā according to Thak. This claim was rejected at the preliminary order and again in the final order and no appeal was filed. In the case Jaypur *versus* Nāobhānga Raghu Nāth Dās on the strength of one of his tenants having cultivated a new accretion to Jaypur claimed the land as an accretion to his estate, but as he could not prove the realization of any rent his claim was rejected in the preliminary order. This decision was upheld in the final order and there was no appeal.

34. *Khānāpuri* began in March 1909 and continued till the beginning of June by which time it was completed in the area cadastrally surveyed. It was restarted in December 1909 and was completed (including the block traversed in the same season) by March 1910. No difficulties were experienced. The plots at the rate of 1,057 per square mile on area excluding large rivers were only just above the standard rate and the number of interests was also not excessive. The differences in procedure from the Faridpur method were the recording of a plot sublet by a raiyat only in the khatīān of the under-raiyat instead of in both khatīāns as in Faridpur, and the abolition of the separate serial number for *khebāts*, khatīāns of raiyats and khatīāns of under-raiyats formerly in vogue. After the completion of *khānāpuri* the records and map were sent to headquarters where copies of the khatīāns were made for distribution to landlords and tenants and a trace of the map on tracing cloth was made for the use of the kanungo during *bughārat*.

35. *Bujhārat* was not commenced in the first season on account of the delay in starting cadastral survey. *Bujhārat* began in November 1910 and was completed in May 1910. As the *halkas* were small kanungoes had no difficulty in finishing their work even on the sheets in which cadastral survey began only in January. The rules in force were the same as in Faridpur and the original sheets were not sent to camp. No attempt was made to dispense with office *bujhārat* on the Mymensingh system but as the work was generally easy and the staff well trained it was possible to complete the greater part of the work in the field and thus reduce office work. About half the tenants had two or more separate *jamās*, but they generally knew to what *jamā* the different plots belonged.

36. One-thousand three-hundred and twenty-eight disputes were decided during *khānāpurī* and *bujhārat* by the kanungoes and Circle Officers. They were practically confined to the question of physical possession of land and boundaries of plots, and presented no special points of interest. The excessive proportion of one dispute in every 30 interests compared with one for 125 interests in the Pābnā river strip and one for every 95 interests in Faridpur is an index of the nature of the people.

37. Attestation began in January 1910 and was completed in June 1910. It proceeded in one mauzā while the *bujhārat* of an adjacent mauzā was going on. Attendance of landlords and tenants was good because the people had not tired of attending the camps as it followed quickly on *bujhārat*. Even in the area in which traverse began only in November there was no difficulty in finishing attestation in June as circles and *halkas* were small and neither plots nor khatīāns were excessive.

38. The following terms were used in the record-of-rights to define the status and incidents of a tenancy :—

For tenure-holders—

Chirasthāyī to indicate that the tenure was permanent.

Myādi to indicate that the tenure was temporary or held for a period of years.

Mokārari to indicate that the rent or rate of rent was fixed.

Gar-mokārari to indicate that the rate of rent was liable to enhancement.

Dān-bikray-kshamata-rahīt when the tenure was non-transferable.

For raiyati holdings—

Mokārari to indicate that the raiyat was a raiyat at fixed rent or rate of rent.

Sthitibān to indicate that the raiyat was a settled raiyat of the village.

Dakhali-swatwa-bishista when a raiyat who was not a settled raiyat had a right of occupancy.

Dakhali-swatwa-behīn when the raiyat was a non-occupancy raiyat.

Dan-bikray-kshamata-prāpta when a right of transfer existed.

For under-raiyats—

Dakhali-swatwa-bishistha when by local custom the under-raiyat had a right of occupancy.

Maurāsi when the right was heritable.

For occupants—

Dakhalkār when the occupant did not fall in any of the classes of tenants as defined by the Bengal Tenancy Act.

39. There was often some difficulty in deciding whether a tenancy was a tenure or a holding. The older tenures go by names such as *sikīmī tāluk hāolā*, etc., and are acknowledged by all as tenures though not infrequently held by cultivators, but in case of tenancies of more recent creation the purpose for which they had

been created could not always be ascertained and in cases of transfer of a non-transferable tenancy it was uncertain whether a new tenancy had been created. Rent-free tenures were not so common as in Faridpur or Pābnā and were not often the subject of dispute.

40. One thousand three hundred and eighty-six raiyats were classified as holding at a fixed rate of rent, 20,633 raiyats as settled raiyats of the village or occupancy raiyats and 1,450 raiyats as non-occupancy raiyats. Landlords usually disputed the claim of the tenant for fixity of rent and could often rebut the presumption arising from uniform payment for 20 years by proof of a previous enhancement, and under section 103A they reduced the number of raiyats at fixed rates by 340 by producing further evidence.

41. Rent gave rise to 613 disputes and 1,771 other disputes, including appeals from the decision of kanungoes at *khānā-puri* were decided at attestation. Illegal enhancement of rent were rare and other disputes presented no special points of interest.

42. Draft publication was made in accordance with the revised rules under the Tenancy Act published in the Gazette of the 8th September 1909 by placing the records in the attestation camps for public inspection for the period of one month after publication of notice in the village by beat of drum. Objections under section 103A were accepted after the expiry of the month allowed by law for their filing, if accompanied by a stamped petition, up to the time that the last objection in the village was taken up for trial. This allowed nearly one year for discovery of the mistakes in the record in the majority of villages.

43. The total number of objections filed and decided under section 103 A was 3,634. The filing was at the rate of one objection for every 11 interests as compared with one for 17 interests in Pābnā and one for 30 interests in Faridpur. The number per square mile or area excluding the large rivers was 30 compared with 40 per square in Pābnā and 21 per square mile in Faridpur and 10 per square mile in Bākarganj. One-third of the cases were disposed of soon after attestation during the rains of 1910 and the remaining two-thirds a year later when the Dacca settlement lent three officers for this purpose. The question of fixity of rent was responsible for almost exactly half the total number of cases. Landlords were the objectors in 787 cases of which they were successful in 543 as they produced evidence not previously given before the Attestation Officer and proved enhancement which had taken place about 30 to 40 years ago. Tenants were the objectors in 973 cases, but failed in 770 and succeeded in 203. Possession was in issue in one-quarter of the total cases. They were almost entirely tenant v. tenant, and the previous decision was upheld in four cases out of every five. One-eighth of the cases were undisputed correction and the remaining one-eighth were on other matters of which the amount of rent payable and a correction in the map were the most common points for decision. The question of the right to hold rent-free was only raised in three cases which shows a marked contrast to the Faridpur and Pābnā where it was often in dispute.

44. The maps prepared during cadastral survey were corrected in headquarters in accordance with the changes made at *buihārat*, attestation and under section 103A. This is a very tedious procedure and will in future be avoided by sending the original map to the *buihārat* kanungo who can conveniently make the changes at the time he discovers the error. In order to reduce the size of the maps to 18 inches by 22 inches which is more convenient for binding and handling, 240 sheets were traced at headquarters instead of the original sheets being completed by inking up the blue lines with black ink. Two hundred and seventy sheets were prepared for the 115 villages and the average area in a sheet was a little less than half a square mile. After completion the sheets were signed by the Settlement Officer and sent to Shillong Drawing Office for reproduction. The Drawing Officer was unable to supply many of the sheets in time for recovery, and the last batch did not come till nine months after final publication as they were detained in the Drawing Office over

year by pressure of other work. Vandyked copies were distributed to the public as soon as received, through the case work camp.

Four inch reductions showing topographical detail were made in the Settlement Office from the 16-inch sheets before they were sent to the Drawing Office. As they contain only small parts of two thanas they have not been sent for reproduction but will be made over to the Settlement Officer of Tippera who is now surveying the adjacent villages in thana Chāndpur and will next year take up Matlabganj thana. The numbers used both on the 4-inch and 16-inch maps are Mr. Chanda's jurisdiction numbers and new accretions have been numbered in continuation of that serial.

45. A small part of the final scrutiny (*jānch*) was done in the objection camps, but as they were only in the mufasal for a short time and only a small staff could be spared from the Faridpur work, progress was not very great. As a camp had to be kept open for a long time for resettlement of rents in Government estate the greater part of the *jānch* was done in the camp and the rest was completed in headquarters in August and September 1912 after the Faridpur work was finished. The statistics were prepared in Faridpur after the completion of the Faridpur work.

46. A cess revaluation was in progress for the district of Tippera under a special officer. The Settlement Officer therefore dealt with the estates of which the whole of the lands lay in the villages surveyed and prepared valuation rolls which were published by the district staff. This work was done in the camp then working for the resettlement of rents in Government estates. The majority of estates within the strip had the greater part of their lands outside the villages surveyed, and for these estates assistance was given to the district staff by checking the returns filed by the parties and pointing out the numerous omissions in them.

47. The procedure in printing the final copy of the records-of-rights has been described at length in the Faridpur report and it is unnecessary to repeat the description here. The Tippera record had to wait until the greater part of the Faridpur record was completed and therefore printing was not finished until June 1914. The forms used were the same as in Faridpur. The *khatīān* of a landlord shows only the *khatīān* numbers of the under-tenants as in the later thanas of Faridpur and not the area and rent of each under-tenant as in the villages printed at the beginning. The plot-index shows only plot number and number of the *khatīān* in which the plot is recorded.

48. The final publication of the record was carried out in accordance with the Government rules under the Bengal Tenancy Act published in the Gazette of the 8th September 1909. By this procedure the record was merely retained in the headquarter office for a month during which it was open to general inspection after notice had been given in the village by beat of drum. A copy of the record was available for inspection in the recovery camp in the locality, where copies of records were distributed as soon as costs were paid. A landlord was given a copy of his own *khatīān* and of the *khatīāns* of all tenants immediately subordinate to him, but where there were co-sharer landlords only the landlord who paid his cost first obtained copies of the tenant's *khatīāns*. Every copy distributed was certified to be a true copy and was signed by the Recovery officer. Final publication began in May 1914 and the last certificate was signed on 22nd September 1914. The final record contained 40,975 *khatīāns* bound in 273 volumes.

49. The orders passed under section 114 by the Government of Bengal, Revenue Department No. 1203 T.—R., of the 1st August 1912 modified by No. 1832 of 1st September 1913 were as follows :—

Under section 114 of the Bengal Tenancy Act, 1885 (Act VIII of 1885 and in modification of the orders contained in Government order No. 1203 T.—R., dated Dacca, the 1st August 1912, the Governor-in-Council has determined that in thanas Muksudpur, Kotwālipārā, Gopālganj, Mādāripur,

Sibchar and Pālang in the district of Faridpur and in the portions of the districts of Pābnā and Tippera, of which a survey and record-of rights has been prepared by the Settlement Officer of Faridpur, the landlords and tenant's share of the cost of the survey and records-of-rights should be apportioned and recovered as specified below :—

- (1) *Proprietors*.—Proprietors of revenue-paying and revenue-free estates alike shall pay at the rate of 4 annas in the rupee upon profits.
- (2) *Tenure-holders*.—Tenure-holders of all classes shall pay at the rate of 4 annas in the rupee upon profits.
- (3) *Raiyats*.—Raiyats paying a cash rent shall pay at the rate of 2 annas 6 pies in the rupee upon their rental in villages in which the average rent payable is not less than Rs. 2-8 per acre, and at 4 annas in the rupee on the rental where the average rent payable in the village is less than Rs. 2-8 per acre.
- (4) Raiyats paying rent in kind shall pay at the rate of 4 annas for each tenancy.
- (5) Raiyats paying no rent shall pay at the rates specified in rule 3 upon the fair letting value of their holdings.
- (6) *Under-raiyats*.—Under-raiyats paying a cash rent shall pay at the rate of 1 anna in the rupee upon their rental.
- (7) Under-raiyats paying a rent in kind shall pay at the rate of 4 annas for each tenancy.
- (8) Under-raiyats paying no rent shall pay at the rate of one anna in the rupee upon the fair letting value of their holding.
- (9) *Explanations*.—By "profits" in rules 1 and 2 is meant the gross *muffassal jama* less the *sadar jama* and in estimating profits land which is not sublet, other than land used for a public purpose, shall be valued at its fair market value. Land in possession of raiyats who pay no rent shall be valued at its fair letting value.
- (10) The Settlement Officer will determine the fair letting value of land and the fair market price of produce in respect of each village.
- (11) *Minimum charges*.—There will be a minimum charge of 4 annas in respect of each tenancy.
- (12) Payments of less than ten rupees will be made in multiples of 4 annas, broken parts of 4 annas being charged as full 4 annas.
- (13) In payments of more than ten rupees, broken parts of a rupee will be charged as a full rupee.
- (14) *Exemption*.—In areas in which a settlement of land revenue is being or is about to be made no charge will be made against landlords or tenants.

50. Recovery started in May 1914 and new villages were published till July as completed in printing. The people never paid well or willingly and had it not been that some of them wanted their copies of the records at once none would have paid without certificate. The people of thana Matlabganj paid a little better than the people of Chāndpur, but not willingly in comparison with the people of Pābnā and Faridpur, though generally much better off. The reason for this is that the cultivators of this part are less submissive than in any district except Noākhāli and landlords always find the greatest difficulty in realizing rent. The fall in the price of jute consequent on the war made realization in August still more difficult, but there were few raiyats who could not have paid without difficulty had they been willing. The camp remained open until the Pujas of 1914 and after that the officer trying cases under section 105 in Chāndpur continued to realize a little up to the close of his camp in February 1915, but he only succeeded in realizing Rs. 4,000 in five months, of which the greater part was realized by certificate.

Realization was as follows :—

	Rs.
Voluntary	46,248
By certificate in camp	3,084
By certificate in sadar	3,299
Remission for diluvion and ejectment	346
Balance under certificate	4,284
Balance not under certificate	4,705
Total	61,966

The balance pending, viz., 2,710 demands for a total of Rs. 4,284 and 278 certificates for Rs. 4,705 has been taken over for realization by the Settlement Officer of Noākhāli and Tippera, who reports that realization except by certificate is nearly impossible though tenants are well off and have had good crops: As the Tippera Settlement will have camps along the edge of the strip from the next two years there will be no difficulty in realizing practically the whole of the Rs. 9,000 now outstanding and court-fees realized will exceed the cost incurred. Of the amount reported for remission Rs. 334 was on account of diluvion and Rs. 12 for ejectment where the demands were too small for enquiry into present possession.

51. Seven hundred and seventy-two cases under section 105 were filed for fixing fair rents for 995 tenancies. In a large number of these cases the landlord contested the entry in the record that the raiyat was a raiyat at fixed rate of rent, while in many of the rest the raiyat claimed fixity of rent during the course of the trial so that an issue under section 105A had to be decided in the majority of the cases. All the cases related to the rents of raiyats and landlords were applicants in all cases. No cases were filed about the rents of tenure-holders or under-raiyats. Cases against 147 tenancies were withdrawn or dismissed for technical legal defects before trial began, so that only cases against 848 tenancies were tried. Of these, cases against 23 tenancies were dismissed after trial, either for legal defect or because it was decided that the rate of rent was fixed and no excess area could be proved; the existing rents of 12 tenancies were held to be fair and equitable; new rents were fixed for the remaining 813 tenancies. Of the rents settled, 468 were fixed on compromise between the parties and 345 cases after contest. In the cases compromised the work of the officer was generally little less than in contested cases, as compromise was not effected till he had heard the case and often not until he suggested a rent. Many cases were technically *ex parte* in that co-sharers were represented by other co-sharers who had not been given any legal authority to represent them, but very few cases were really decided *ex parte* as either co-sharers or co-villagers were present to contest.

52. The effect on rent was as follows :—

	Number of tenancies.	Former rent.	Fair rent fixed.	Percentage of increase on former rent.
		Rs.	Rs.	Rs.
On compromise ...	468	2,749	3,009	10
On contest ...	337	3,404	3,977	17
Total ...	805	6,153	6,986	13

Of the increase of Rs. 833, Rs. 577 or 69 per cent. was due to increase in the price of staple food crops, while against the Rs. 280 allowed for increased area is to be set off the reduction of Rs. 24 allowed for decreased area.

The effect of the decisions on raiyats rents.

In nine cases the allowance for decreased area exceeded the enhancement for rise of prices; so rents were reduced instead of being increased. Rents were fixed for 8 tenancies for which no rent was previously paid, at Rs. 16-11 for 5·3 acres at the average rate of Rs. 3-1 per acre.

53. The disposal of cases began in November 1914 and was completed in March 1915. Ten appeals were filed, and at the time of writing this report they are all pending with the Special Judge. The time for filing cases in most of the villages came just after the fall in the price of jute and this no doubt prevented the filing of cases to a considerable extent.

Case-work under section 106. 54. One hundred and fifteen cases were filed under section 106 and were classified as follows :—

	Total filed.	Successful.
Correction of rent—landlord plaintiff ...	24	20
Fixity of raiyats' rent—landlord plaintiff ...	17	16
Ditto —tenant plaintiff ...	44	Nil
Permanency of a tenure ...	5	Nil
Fixity of rent of a tenure ...	1	Nil
Possession of land ...	17	13
As to who is landlord of a tenant ...	2	2
As to share of a <i>khātian</i> ...	1	1
Miscellaneous ...	4	1
	<hr/> 115	<hr/> 53

Fifty-three cases resulted in modification of the record and 61 cases were dismissed. In one group of 14 cases tried together the tenants compromised the case admitting the landlord's claim to have the entry settled raiyat substituted for raiyat at fixed rate, and the landlord agreed not to enhance the rate for twelve years. The modification made was not always in favour of the plaintiff, as for example when the landlord applied for the rent of Rs. 3-0-6 to be recorded in place of Rs. 1-11-9 and the case resulted in recording of a rent of Rs. 12-6 as the landlord had recognised a purchaser of a part of the holding but was still claiming the full rent from the original tenant. Only two appeals were filed before the Special Judge and they have not yet been disposed of.

55. Under section 108A, 36 cases were filed by the public and 1 was instituted at the instance of the Settlement Officer. Case-work under section 108A. Corrections were allowed in 28 cases and refused in 9. Of the cases in which corrections were allowed the mistakes in 18 cases appeared to be due to the fault of the parties and in 10 cases to the fault of the clerks preparing the final record in the printing press and *jānch*. Of the 9 cases rejected, 6 were deliberate attempts to get a dispute decided after the period for filing a case under section 106 had expired, and 3 were struck off for default, or as filed by error.

CHAPTER V.

The resettlement of land revenue and diara resumptions.

56. Excluding from consideration the beds of large rivers, out of the 114·6 square miles recorded as within estates, apart from the new diara resumptions, 52 square miles are under temporary settlement. As the existing settlements of the majority of the estates had not expired, only seven estates with a total area of 18 square miles came under resettlement. These seven estates differ so much in character and conditions that it is better to give a short account of each estate than to add the figures of different estates together.

57. Out of a total area of 11,601 acres under resettlement 10,400 acres were assessed and 1,201 acres were left out of the result of the resettlement. assessment. The revenue was increased by Rs. 11,123 (from Rs. 15,327 to 26,450,) or an increase of 72 per cent. of the former revenue. Even after this increase the revenue is only Rs. 2-8 per acre, which is very moderate as it amounts to less than four per cent. of the nett produce after making deductions for all expenses of cultivation. Further, the majority of the raiyats are direct under Government, so that allowances to proprietors and tenure-holders absorb only a small proportion of the assets. Under-raiyats paying high rents are, a feature of some of these estates.

58. Estate 1421 with land in Prasannapur is a small estate purchased by Government in 1894. It is being rapidly diluviated and at the time of settlement only a quarter of an acre remained, for which the rent of the middlomen who sublots on a produce rent was maintained. The revenue was decreased from Rs. 3-9-9 to As. 11-3 on account of diluvion.

59. Estate 1862 lies in Mauzas Char Hāim, Char Bhairabi, and Char Korāliā on the bank of the Meghnā near the Noākhāli boundary. It consists of three islands resumed in 1870, 1876 and 1890. Though it comprises the most fertile land in the Chāndpur subdivision, and though at the last settlement improvement by fluvial action would have justified a large enhancement the rates then fixed were Rs. 2-4, Re. 1-11-3 and Re. 1-8-3 and As. 12-3 per acre, with large areas at the lowest rate so that the average rate was Re. 1-5 per acre. Diluvion of some of the land assessed at the lowest rate and *charcha* settlements at Rs. 2-4, had increased the average rent to Re. 1-8 per acre. The gross produce of an acre was estimated by the Assistant Settlement Officer as Rs. 144 and the nett produce as Rs. 81 after deducting rent and all expenses of cultivation. The fertility of the soil is also indicated by the high rents of under-raiyats. Under-raiyats paying a fixed produce-rent (*dhān-kārari*) for 21½ acres have contracted to pay paddy and chillies worth Rs. 682 or more than Rs. 28 per acre, while other under-raiyats pay Rs. 2,927 for 244 acres at a rate of Rs. 12 per acre. Rates of rent in neighbouring estates for similar or slightly less fertile lands are Rs. 2-10 per acre and upwards. The lands of Korāliā and of a small part of Hāim Char had increased in fertility through fluvial action since the last settlement was made. For these reasons rents were draft published at Rs. 2-12 per acre for Char Hāim and Char Bhairabi, but for Korāliā where the tenants had not acquired occupancy rights at Rs. 3-2 per acre. The tenants objected to these rents which were settled while I was on leave, and on my return I held enquiry and reduced the rent to Rs. 2-10 per acre. The reason for this reduction was that Char Bhāngā, Char Solādi and Char Hāsādi where the rate is Rs. 2-10 seem to be the mauzās which should be selected for fixing the rent on the basis of neighbouring rates, in preference to more distant mauzās which had been previously considered. In Korāliā the land is less fertile than in Char Hāim and Char Bhairabi and therefore the fact that tenants had not acquired occupancy rights did not make it fair that they should pay higher rents, but considering that less fertile lands in the Faridpur *chars* which are just across the river were paying Rs. 3-2 there was no reason why Korāliā also should not pay Rs. 2-10. In Char Bhairabi there is a block of 370 acres which is less fertile than the rest of the land on account of defective drainage and an excess of salt in the soil and for this block I reduced the rate to Rs. 2-4 per acre. There are two tenures in the estate with an area of 328 acres. The rents of the raiyats under the tenure-holder had been fixed at the same rate as raiyats under Government at the last settlement and the tenure-holders were realizing these rents. The raiyats under the tenures were, therefore, again treated in the same way as raiyats under Government, but the profits of the tenure-holders which for special reason had been 40 per cent. at the last settlement were reduced to 20 per cent., though on account of the increase in their raiyats' rents their profits were only decreased from Rs. 222 to Rs. 196. The smaller tenure was originally a grant of 2,000 bighas to a former *ijārādar* who had helped Government to resist the efforts of neigh-

bouring zemindars to seize the *char* when it first formed. It was granted with rights to only one resettlement, but at the last settlement this tenure was again given rights to one more resettlement so that it will expire in 1930, when there is no reason that it should be renewed as it should have expired in 1915. The river has reduced the 2,000 bighas to 9 acres. The other tenure for 319 acres is a permanent grant also as a reward for assistance. The tenure-holders appealed unsuccessfully to the Director of Land Records, but the raiyats filed no appeal. The result of the settlement is to increase the rent of raiyats under Government and the tenure-holder from Rs. 10,430 to Rs. 18,100 for 6,953 acres. The rents of 219 shop-keepers in the two bazars were fixed at Rs. 593 for $8\frac{1}{2}$ acres. The revenue was thus increased from Rs. 11,100-15-5 to Rs. 18,603-6, but progressive rents were allowed to raiyats whose rents were increased by more than As. 8 in the rupee so that the full revenue will not be realized until 1927, as four instalments at intervals of four years were allowed in cases where the rent was doubled. The settlement was made for 15 years from 1915 to 1930. Under-raiyats, though they pay a very high rent, are not important in this estate as they occupy only 4 per cent. of the raiyats' lands. Their rents were maintained as, if they had been reduced, it was probable that ejection would have followed and *bārgādārs* paying half the produce would have been substituted for under-raiyats on a cash rent.

60. Estate 1867 consists of shares of *pergana* Purchandi both *khālīsā* and *nāwārā* purchased by Government at different dates and leased on long term *ijārās* up to 1892 since when it has been under direct management. It consists of small isolated blocks scattered over ten villages within 2 or 3 miles of Chāndpur. At the last settlement the Settlement Officer came to the curious conclusion that an enhancement of only As. 3 per rupee was justified on the ground of rise in prices though the price of rice must have doubled during the period of the *ijārā*. He obtained the tenants' consent to an enhancement of As. 2 per rupee. Tenants were also holding large excess areas for which they paid no rent, but as the papers of the *ijārādār* were defective the attempt to assess this excess was only partially successful with the result that rates of rent varied considerably and the worst land was usually paying the highest rate. At the present settlement the tenants refused to agree to any enhancement, contending that they had received a promise when they agreed to the previous enhancement and that therefore their rent could not be again changed. Proceeding under section 104A (d) rents were draft published during my leave at rates of Rs. 2-12 for cultivated lands and Rs. 3-6 for homestead and garden, resulting in a revenue of Rs. 4,503. On my return I heard the objections and being doubtful of the legality of these rents I referred to the Director of Land Records who advised procedure under section 104A (b). A table of rents was accordingly draft published after an examination of neighbouring rates as follows :—

	Raiyats.	Under-raiyats.	Tenure-holders.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Homestead, first class ...	3 0 0	3 12 0	2 6 5
Ditto second class } ...	2 10 0	3 4 6	2 1 7
Cultivated land, first class }			
Ditto do. second class ...	2 0 0	2 8 0	1 9 7

This table was legally justified by the fact that the majority of the tenants under the permanently settled estates amongst whose land this estate was interspersed are paying at rates of over Rs. 3 per acre. Also considering the fact that the gross produce of an acre is over Rs. 80 and the nett produce over Rs. 50, the rates were moderate. This table was objected to by the raiyats but was confirmed by the Director of Land Records. Raiyats' rents were accordingly draft published for the second time and confirmation report was submitted for a revenue of Rs. 4,042-7. On appeal the Director of Land Records cancelled the table of rates. He considered that the existence of lump rentals both in this estate and neighbouring estates, and the fact that it was impossible to determine the prevailing rate under section 31A were strong reasons that a table of rates was not applicable to the circumstances of this estate. He ordered a

rent-roll to be prepared on the enhancement allowable on the rise of prices. Rise of prices allowed enhancement to the extent of As. 6½ in the rupee and rents were accordingly draft published for the third time enhancing raiyats' rents by As. 6 per rupee subject to the limit that rents of raiyats were not enhanced above the rate proposed in the table of rates. All contractual rents at higher rates were maintained, and tenure-holders were allowed 25 per cent on their collections. The revenue was thus fixed at Rs. 3,153-5. Tenants again appealed to the Director who increased the allowance of five tenures to 50 per cent. and allowed them progressive rents but rejected the appeals of raiyats. Numerous suits have since been filed in the Civil Courts contesting the rents and are undisposed of at the time of writing, though the Munsiff under section 104H has only jurisdiction to try two of the cases in which the question of status is at issue, as the rest of the suits raise none of the issues on which a suit can lie. The result of the settlement is that 14 tenure-holders pay Rs. 280 for 130 acres, 341 raiyats under Government pay Rs. 2,826 for 1,427 acres, 31 raiyats under the tenure-holders pay Rs. 404 for 121 acres and the under-raiyats pay rents which average Rs. 4-12 for 424 acres, but their rents vary from Rs. 2 to Rs. 15 per acre. The final revenue will be Rs. 3,105-12 against the previous revenue of Rs. 2,381-3-8. Under-raiyats occupy 30 per cent. of the land leased by Government to raiyats. This estate contains 35 acres of urban lands, where rents have been left to be settled by the Collector under the Transfer of Property Act. Tenants in these lands are paying from one-tenth to one hundredth part of the rates of adjacent plots though neighbouring rates are not excessive as the land in the bazar is really valuable. There is an old tenure which was created for the purpose of establishing the bazar many years ago, but was recorded as a non-occupancy holding in the last settlement. That it never was the holding of a raiyat is evident, but if a holding, why 30 or 40 years' continuous occupation should not give occupancy rights is not clear. Probably the solution is that the Settlement Officer thought this record the most convenient as he wanted to increase the rent slightly more than he was doing in the case of occupancy holding.

61. Estate 1868 is situated in Khānepurā a few miles south of Narsinghpur. It was resumed as an island in 1858, but seems to be a reformation of part of pergana Maijuddin which was purchased by Government. The rates of the last settlement varied from Re. 1-3-6 to As. 6 per acre and were the old rates of 1886 fixed when most of the land was unculturable but applied in 1897 after fluvial action had increased the fertility of the soil. The improvement has continued since the last settlement and the land is very fertile, though not quite so good as that of estate 1862. Rents were draft published at Rs. 2-13 per acre. On objection by the tenants the rent of Rs. 2-13 was retained for 907 acres of the higher lands, but 180 acres of lower land were assessed at Rs. 2-8, as they do not produce the same variety of crops as can be grown on the higher lands. No appeals were filed. Tenure-holders were allowed 20 per cent. on their assets and the rents of the raiyats under them which are at the high rate of Rs. 19 per acre were maintained. The result of the settlement was to enhance the rent of raiyats under Government from Rs. 1,136 to Rs. 2,990 for 1,084 acres and to enhance the rents of tenure-holder from Rs. 6 to Rs. 91 for 6 acres and to maintain the rents of raiyats under the tenure-holder at Rs. 114 for 6 acres. The revenue was thus increased from Rs. 1,141-14-10 to Rs. 3,081. Progressive rents were allowed and the full revenue will not be realized until 1925.

62. Estate 2026 lies in mauzā Char Krishnapur, just to the east of Hāim Char. It was resumed as an accretion in 1832 and has not since been diluviated. The rates of the last settlement varied from Re. 1-8 to As. 6 per acre, and the raiyats were paying at an average rate of Re. 1-4 per acre. On the ground of neighbouring rates rents were draft published at Rs. 2-10 for land not sublet and Rs. 3 for land sublet and the objections filed against these rents were rejected. Tenure-holders were assessed at the raiyati rates. The land is very fertile and the rate of Rs. 3 per acre is less than 4 per cent. of the nett produce. On appeal the Director of Land Records ordered the assessment of

all lands whether sublet or not at Rs. 2-10 per acre. The result of the settlement was to enhance the rent of the three tenure-holders from Rs. 159 to Rs. 334-3 for 127 acres, to enhance the rent of 146 raiyats under the proprietor from Rs. 617 to Rs. 1,291-14 for 493 acres and to maintain the rents of 82 raiyats under the tenure-holder at Rs. 472 for 121 acres, a rate of Rs. 3-4 per acre, leaving the tenure-holders a profit of 33 per cent. Under-raiyats occupy 134 acres or 22 per cent. of the raiyats' land, and pay a rent of Rs. 545 at the rate of Rs. 4-1 per acre. The proprietors accepted settlement at a progressive revenue which will reach Rs. 1,301 in the year 1921 when the full rents of the tenants come into force. They were allowed 20 per cent. as they had received that allowance previously. The former revenue was Rs. 612-10-5 so that the increase of revenue is Rs. 688-5-7.

63. Estate 2070 has land in Diara Kāliganj, near Mohanpur and was resumed as an accretion at the last diara survey of Babu Parbati Charan Rai. The rates of the last settlement were Rs. 1-14 and Re. 1-8 per acre, on the average Re. 1-11. Fluvial action had increased the fertility of the soil and therefore the rent of Rs. 2-10 per acre was fixed and accepted by the tenants without objection. Tenants were occupying large areas which had accreted to their holdings without payment of rent. There are no under-raiyats or tenure-holders in this estate. Rents of raiyats were enhanced from Rs. 111 to Rs. 293-8 for 112 acres. Of the increase of raiyats' rent, Rs. 62 was due to enhancement and Rs. 120 to the assessment of excess area. The proprietors accepted settlement at a revenue of Rs. 205 as compared with the previous revenue of Rs. 77-10-10 giving an increase of Rs. 127-5-2.

64. Estate 2649, Char Faizuddin was resumed as an island in 1899. It is still an island in the middle of the river off Sātnal. The estate had been badly mismanaged from Dacca and proposals for its transfer to Tippera in which district it now lies were accepted. No regular settlement had been made previously, but it had been leased in *ijārā* to a Munshiganj muktear and had been thus subject of numerous disputes since its formation. The tenants who were found in possession were paying no rent to anyone and had divided the *char* amongst themselves in very narrow strips. They were at length persuaded to give up their old plots and take settlement on the *kilibandi* system. They all agreed to the proposed rent of Rs. 3 per acre. There are no tenures or under-raiyats in the estate. Settlement was made for 15 years, although the tenants had not acquired rights of occupancy, as the rent they agreed to was sufficiently high. The settlement resulted in an increase of revenue from Rs. 9 to Rs. 153 7.

65. The area resumed in the diara proceedings was only 823 acres. The district authorities had been more careful than in Faridpur and Pābnā in taking possession of islands directly they formed instead of allowing proof of Government title to be lost by delay. The only considerable change in the course of the Meghnā was in the south near the Noākhāli boundary and there possession of all the new lands had been taken while they were still islands. The diara survey of Babu Parbati Charan Rai had resumed most of the accretions and it was only in Boro Char where the Commissioner had released the land which Parbati Babu proposed to assess that any large accretions were found. Of the 823 acres resumed 687 were accretions from the bed of the Meghnā and 136 from the bed of the Gomti river.

66. Comparative maps showing the boundaries of the Revenue Survey upon the new maps were prepared by Mr. Newton, the Professional Advisor to the settlement in Shillong under the control of the Director of Surveys. They were on the scale of 4 inches to a mile and were the basis of all assessment. The method of preparation has been fully described in the Faridpur report. The Director of Surveys in his Annual Report for 1909-10 says that the method of preparation is "as accurate as is likely to be found possible scientifically or otherwise." The Revenue Survey boundaries as shown on the comparative maps were transferred to the maps of the district settlement on the scale of 16 inches to the mile and local enquiry was then held by an Assistant

Settlement Officer. The area liable to be assessed was ascertained and notices were served on the landlords concerned whose objections were heard by the Settlement Officer. Separate estates were formed under Act XXXI of 1858 and a proceeding drawn up under Act IX of 1847 which was submitted to the Board of Revenue through the Director of Land Records.

67. The Board of Revenue confirmed the proceedings of the Settlement Officer without amendment rejecting the two appeals which were filed. The Settlement Officer had proposed to assess the 823 acres with a revenue of Rs. 1,401, but the refusal of the proprietors in six out of the twelve estates created increased the revenue to Rs. 1,784-6-5. Proprietors refusing settlement were allowed malikana at five per cent. on the net collection, whereas proposals were made to allow them 30 per cent. of the raiyati assets divisible with the tenure-holders.

68. The proprietors of Boro Char appealed unsuccessfully to the Board of Revenue (Case No. 306 of 1912). Their estate consisted of six islands which formerly belonged to Government but were settled permanently in 1868 on the basis of a map prepared in 1867. During the diara survey of Babu Parbati Charan Rai it was found that the connection between four of the islands in the map of 1867 was inaccurate and therefore the map could not be demarcated. The Commissioner therefore ordered that no assessment should be made of accretions which had taken place to these four islands but that accretions to the other two islands should be assessed. The area at the diara survey was greater by 566 acres than the area of the survey on which the permanent settlement was made but according to the Commissioner's order 481 acres were not assessed. At the present diara survey only accretions which had taken place since the former diara survey were assessed, but the appellants contended that the principles which had led to the former release should again be applied. The Board decided that the information on which the release was based was faulty and the order must be strictly limited to the area actually released; further, that it was possible to re-open the whole question of what lands had been added to the estate since the assessment of revenue, and that had the proprietors contended that the Thak map, on which they relied, projected beyond the limits of the diara map, it would have been only reasonable to reconsider whether the land previously released should now be assessed. The judgment of the Board is reproduced in full in Appendix C, as the principles which it lays down will be useful for the guidance of future diara assessments.

In the appeal filed by the proprietors of Naobhanga (No. 110 of 1913) the Board upheld the decision of the Settlement Officer rejecting the Thak map in favour of the Revenue Survey because the Thak showed a strip of a permanently-settled estate between an old resumed island and the river.

69. Of the 823 acres resumed, raiyats occupy 719 and pay rents of Rs. 2,017 at the rate of Rs. 2-13 per acre, which is a low rate considering that all the land is very fertile. Tenures cover 57 acres and the tenure-holders were allowed from 15 to 20 per cent. on their collections as profits. The contractual rents of raiyats were not altered, but the rents of the tenureholders were settled under Act XXXI of 1858.

CHAPTER VI.

Expenditure.

70. No separate estimates of expenditure were prepared or submitted to Government for these operations as they were always treated as a part of the Faridpur district settlement and were included in the estimates which have been described in that report. Separate figures of expenditure

were kept for branches of work up to the stage of attestation, but after that stage the same staff was employed for work in all three districts and any separation of accounts would have been arbitrary. In the table which follows expenditure has been apportioned from the Faridpur accounts on the basis of interests or area according as the expenditure of that branch of the work depends chiefly on the area or the number of interests.

71. The following table compares the expenditure with the standard rate increasing or decreasing the standard rate for excess interests and plots in those branches in which the Director of Land Records points out that expenditure should vary with plots or interests. The rates are calculated on the gross area of 166 square miles :—

				Standard rate.	Rate in Tippera.
				Rs.	Rs.
Traverse survey	...	...	...	55	56
Cadastral survey	...	...	...	110	92
Record-writing	...	...	...	32	41
Completion of records for <i>bujhārat</i>	...	...	...	18	9
<i>Bujhārat</i>	...	...	...	79	94
Attestation	...	...	...	65	45
Disposal of objections under section 103A	...	...	...	41	40
Total cost of the draft record				400	377
Preparation of final maps	...	...	...	6	9
Topographical maps	...	...	...	2	3
Reproduction of maps	...	...	...	21	35
Final scrutiny of records	...	...	...	20	34
Statistics	...	...	...	11	10
Printing	...	...	...	53	41
Total				113	132
Recovery of costs	...	...	...	20	9
Case-work	...	...	...	16	7
Contingencies—					
Capital { Press	...	...	...	10	29
Others	...	...	...	36	39
Forms and stationery { Press	...	...	...	9	9
Others	...	...	...	8	10
Miscellaneous { Press	...	...	...	3	2
Others	...	...	...	22	63
Binding of the record	...	...	...	10	4
Total contingencies				98	156
Supervision	...	...	...	186	113
Control of Director of Surveys	...	...	...	14	14
Ditto ditto Land Records	...	...	...	16	18
GRAND TOTAL				863	826

The total cost of preparing the draft record was Rs. 377 per square mile as compared with the standard rate of Rs. 400. The standard rate was exceeded under the heads of *khānāpuri* and *bujhārat*. As cadastral survey was going on at the same time as *khānāpuri*, and attestation at the same time as *bujhārat*, it seems probable that the staff who were employed on both works together reported too great a share of their pay as debitable to the latter at the expense of the former. If the cost of cadastral and *khānāpuri* are considered together and the cost of *bujhārat* and attestation together, rates are well under the standard rates even though extra payments had to be made for difficult survey to amins on contract rates.

The cost of preparing final records was Rs. 132 against the standard of Rs. 113. There was excess of Rs. 14 in reproduction of maps under the control of the Director of Surveys and excess of Rs. 14 under the head *jānch*. The apportionment of expenditure here is unfair to Tippera as the *jānch* was done in camp at a cost below the standard rate, but as separate figures were not

kept for expenditure, Tippera boars a part of the heavy expenditure of the early stages of this work in Faridpur.

The recovery of demands now outstanding has been made over to the Settlement Officer of Noākhāli and Tippora, and the figure of Rs. 9 shown in this table does not include any estimate of the cost which he will incur ; but before this work was made over, the stage at which receipts for court-fees on certificates exceeded expenditure, had been reached, so that though the gross cost-rate will perhaps be Rs. 10 or even Rs. 12, the net cost will not be increased.

The number of cases filed under sections 105 and 106 was small and so the rate is low, but there is a corresponding decrease in receipts from court-fee stamps. A profit of about Rs. 5 per square mile was made on case-work.

Contingent expenditure is apportioned from the total Faridpur expenditure on the basis of area which is perhaps not fair on Tippera, but what Tippera loses on contingencies is made up on supervision where the apportionment gives to Tippera only Rs. 113 against the standard rate of Rs. 186.

The receipts were as follows :—

				Rs.
Court-fees	...	...	...	34
Sale of buildings and stock	...	...	...	31
Do. <i>khatidans</i>	...	...	...	6
				—
Total	...	...	...	71
				—

The gross rate was therefore Rs. 826 as compared with the standard of Rs. 863 and the nett rate Rs. 755 as compared with the standard of Rs. 768.

The above figures exclude special expenditure on resettlement of land revenue and diara resumption. The area under resettlement was 18 square miles, and the cost apportioned from Faridpur on the basis of area was Rs. 5,238 or at the rate of Rs. 291 per square mile. The area resumed in diara proceeding was $1\frac{1}{2}$ of a square mile and the cost Rs. 807 at the rate of Rs. 605 per square mile.

CHAPTER VII.

Conclusion.

72. The Bengal Tenancy Act intends to confer protection on the actual cultivator of the soil, but it fails in this area in two respects. Under-raiyats are numerous and a large portion of the raiyats' land is always sublet. Subletting is not confined to cases where temporary disabilities preventing cultivation exist. Middlemen are treated both by their landlords and by the Courts as if they were raiyats and treat their tenants as under-raiyats. The present uncertainty of the law in regard to transfer of raiyati holdings renders it difficult to determine the status of the purchaser. Amendment of the law in order to give greater protection to under-raiyats and to protect cultivating tenants who hold under middlemen seems to be necessary to make the law suitable to the conditions which prevail in this area. The majority of the raiyats appear to be well able to protect themselves and the cultivator in Tippera is certainly more independent and submits to less oppression than in Faridpur or Pābnā.

73. The management of estates is in the same unsatisfactory state as in Faridpur, as no attempt is made by the zamindar to control their local agents. The estate in which the management is worse conducted than in all others is undoubtedly that of a Common Manager, appointed by the District Judge of Dacca, who boasts of the unprofitable litigation in which he has involved the estate.

74. For reference for the district officers and for the district settlement it is convenient here to describe the informations collected and the forms in which they are available.

Summary of the papers lodged in the Collectorate.

Maps.

Vandyke reproductions of the village map on the scale of 16 inches to one mile are available for sale in the Collectorate. The original maps are in the custody of the Drawing Office under the Director of Surveys. One set of vandyke reproductions was bound to accompany the final record and one for the District Judge and one for the Munsiff. For the Collector's second copy and the Subdivisional Officer's copy the maps have been placed in pockets in the volumes of the record.

Four-inch reductions were made from the 16-inch maps and the originals have been made over to the Settlement Officer of Tippera who is now surveying the adjacent mauzās. They show all boundary pillars and stones. The mauzā numbers shown on these maps as well as on the 16-inch maps are Mr. Chandra's jurisdiction numbers and new accretions have been numbered in continuation of that serial.

The boundaries of estates have not been shown on any map.

The comparative maps prepared in Shillong to show the Revenue Survey boundaries on the district settlement maps have been made over to the Settlement Officer of Tippera.

Only a rough 1-inch reduction has been made to illustrate this report and spare copies will be reproduced and sent to the Collector.

Record-of-rights.

The record lodged in the Collectorate is prepared in one serial for all *khatians* of a mauzā. The form for the *khatian* of a landlord is the same as that for a tenant except that *khatians* of landlords contain lists of the *khatian*, numbers of tenants and show the total area of the tenancy including the land sublet. The *khatians* are arranged estate by estate except when the lands of two or more estates are joint when they are arranged together; the *khatian* of a tenant follows directly after the *khatian* of his landlord or that of another tenant of the same landlord. When an estate, tenure, or holding has land in more than one mauzā particulars of class of tenancy, status and the full names of all possessors are recorded, only in the mauzā in which the rent is recorded. To ascertain in what mauzā the rent of a tenure or the revenue of an estate is recorded reference to the District Register of Tenures is necessary where the *khatian* is indicated by a red ink circle. Five sets of the record have been bound. The first is the original record with certificate of final publication. The other four are copies—one for the Judge, one for the Munsiff, one for use in the Collectorate, and one for the Subdivisional Officer of Chāndpur.

Two copies of the record have been placed in sealed tins and made over to the Collector for use if a scheme for maintenance is brought into force.

Spare copies of the printed *khatians* have been made over to the Collector for sale to the public and for use in administration. Owing to the destruction of spare copies in the cyclones which destroyed the office at Faridpur and to a lesser extent to the number of copies sold before the closing of the Faridpur office, the number of spare copies of a *khatian* vary from seven to one or two, and of a few *khatians* no copies are available, so that copies, if required, will have to be made by hand from the bound records.

Other documents connected with the record of rights.

The Standard Tenure Tree shows every proprietary interest and every tenure in all estates which have land in more than one mauzā. There is a serial number for interests in the estate called the ekwal number which appears on the *khatian* and in the District Register of Tenures. It shows the name of the interest, the name of the principal possessor, the area and the rent paid.

The District Register of Tenures shows every proprietary interest and tenure in the villages surveyed, and is arranged with a serial number (the ekwal number) for each estate. It shows the mauzā in which the interest has land, the number of the *khatian* in each mauzā, the area not sublet, the area sublet to each class of subordinate tenant with the total rent received from each class for that area.

The Plot Index shows the plot numbers in serial order and the number of the *khatian* in which the plot is recorded.

Statistics.

The Estates Register No. 1 (Mauzāwār) contains a separate page for each mauzā and shows the number and name of each estate which has land in the mauzā and the area of the estate in the mauzā, with details of the area held jointly by groups of estates.

The Estate Register No. II (Mahālwar) is the converse of Register No. 1 and contains a separate page for each estate showing the thana and mauzā, names of the villages in which the estate has land and the area in each village.

Mauzā-notes in the form given in the Survey and Settlement Manual were prepared for every village and have been placed in the mauzā file. They contain information as

to physical conditions, agriculture, history, rent, kists, abwabs, markets, customs regarding trees, prevailing weights and measures, etc. They are often scanty, but sometimes contain valuable information.

Village Statistics are a summary in a convenient form of statistical information concerning the villages, its land, crops and tenancies.

The Milan Khasrā shows the area of land cultivated, culturable and unculturable in each village with sub-heads for different classes of land.

The Crop Statement shows the area under each crop in each mauzā.

The occupation of land by tenants of different classes is shown in three registers, mauzāwār with separate lines for each estate, mahāl wār with separate lines for each village and with mauzā totals only.

A register of raiyats lands and rents shows the total area held (including land sublet) by raiyats of different classes in each mauzā with the rent paid for the land. In order that village rates of the rent may not be vitiated by rent paid for land in other villages being shown against one village only the register is prepared in two parts, separately for raiyats who have land only in one village and for raiyats who have land in more than one village. There is a similar register for under-raiyats.

Another register shows the number of holdings of raiyats and under-raiyats of each class in each mauzā.

Another register shows the average cash rent paid by raiyats and under-raiyats in each mauzā and the average size of their holding and is prepared from the figures for raiyats having land only in one mauzā therefore must not be used for compiling thanāwār figures.

Register of sales and mortgages of raiyati holdings were prepared, but apart from usufructuary mortgages which are shown in the record-of-rights, they probably contain many omissions, though they give an idea of sale prices.

75. It now remains to acknowledge the services of officers employed. Notice of officers. To the kanungoes fell the hardest work in checking the survey and record of every plot in the field, and most of them performed this task with energy and care. Babu Jaladhar Ghose, Maulvi Minnat Ali, Babu Dwarikanath Das, Maulvi Saadat Ali, Babu Hemangalal Das Gupta deserve special mention. Excellent work in the supervision of field work and in attestation was done by Babu Radha Krishna Goswami, Babu Pramatha Nath Datta and Babu Upendra Kumar Mitter, while the last-named officer made very careful and thorough enquiries necessary for the resettlement of land revenue. To Mr. Jack the settlement owes all that was best in all the work which was done. Finally I may be permitted to thank Major Hirst for valuable assistance and the Collectors of Tippera and the Subdivisional Officers of Chāndpur for cordial co-operation.

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सत्यमेव जयते

APPENDIX A.

List of Mauzas surveyed.

Juris- diction number.	Name.	Area.	Revenue Survey and Thakbast number.	REMARKS.
Thana Chandpur.				
1	Manpharkhāndi	647	3509	
2	Dāmodardi	279	3578	
3	Bishnupur	1472	3579	
4	Marārchar	34	3583	
5	Durgābardi	265	3582	
6	Lālpur	843	3581	
7	Kherndiā	428	3580	
8	Sārangdi	123	3560	
9	Prajāpaddi	135	3599	
10—18	.....	...	...	Not surveyed
19	Rangergāon	139	3596	
20—21	.....	...	...	Not surveyed.
22	Safarmāli	354	3587	
23	Dāsādi	639	3588	
24	Purandarpur	207	3589	
25	Korāliā	409	3590	
26	Tarpurchandi	1390	3595	
27—87	.....	...	...	Not surveyed.
88	Gunarājdi	346	3593	
89	Bishnudi	598	3594	
90	.....	...	...	Diluviated.
91	Chāndpur Municipality	1417	...	
92	Prasannapur	164	3923	
93	Jāfrābād	707	3904	
94	Rāmdāsdi	503	3906	
95—97	.....	...	...	Not surveyed
98	Ichali	594	3902	
99—116	.....	...	...	Not surveyed
117	Bahariā	604	3919	
118	Sākhnā	1646	3905	
119	Mukundi	779	3922	
120	Lakshmipur	140	3924	
121—122	.....	...	...	Diluviated.
123	Narsinghapur	447	3927	
124	Berāchāki	614	3934	
125	Pāikārdi	115	3930	
126	Chālitātali	690	3910	
127	Gokshurdi	390	3920	
128	Narahardi	309	3935	
129	Ghāruā	413	3921	
130	Harinā	691	3917	
131	Gunānandi Chāndpur	564	3912	
132	Kāuniā	212	3913	
133	Sāplejā	87	3915	
134	Gorāpiā	109	3914	
135	Induli	70	3941	
136	Ibrāhimpur	2221	3937	
137	Char Fatejangpur	377	3933	
138	Darilām Char	73	3938	
139	Fatejangpur	229	3910	
140	Hinduli	221	3939	
141	Gāzipur Kutubpur	1032	3946	
142	Mulāmārāi	47	3917	
143	Gāzipur Manipur	1529	3918	

Juris- diction number.	Name.	Area.	Revenue Survey and Thakbast number.	REMARKS
144	Char Hásádi ...	150	3949	Not surveyed.
145—149	.....	...	...
150	Char Soládi ...	1572	3951	
151	Char Bhángá ...	1265	3960	Not surveyed.
152-153	.....	...	...
154	East Char Krishnapur ...	627	3959	Not surveyed.
155—158	.....	...	...
159	West Char Krishnapur ...	1196	3952	
160	Lámchari ...	167	3953	Not surveyed. Reformed from thana Matlabganj. Part of No. 1 at Revenue Survey but separate Thak map. New accretions formed after the Revenue Sur- vey.
161	Bázcápti ...	1108	3944	
162	Manipur ...	649	9345	
163—332	.....	...	...
333	Madhyamchari ...	299	3508	
334	Kánudásdi ...	215	...	
335	Char Manoharkhándi ...	323	...	
336	South Poár Char ...	185	...	
337	Laggimára ...	43	...	
338	Char Prakás ...	316	...	
339	Char Nandalál ...	793	...	New accretions formed after the Revenue Sur- vey.
340	Char Jagannáth ...	155	...	
341	Khánepurá ...	1047	...	
342	Char Khánepurá ...	129	...	
343	Char Gázipur Manipur ...	862	...	
344	Isánbála ...	2198	...	
345	Nilkamal ...	2260	...	
346	Char Isánbála ...	1556	...	
347	Char Koráliá ...	1558	...	
348	Char Háim ...	2528	...	
349	Char Bhairabi ...	3874	...	

Thana Matlabganj.

1	Char Cháriáni ...	282	3553	Diluviated.
2	Shátnal ...	797	3552	
3	.....	...	3554
4	Bidyánandi ...	95	3555	
5	Subandi ...	36	3558	
6	Báraáni ...	483	3557	
7	Satáki ...	252	3556	
8	Chhengár Char ...	998	3551	
9	Lálpur Kálipur ...	1100	3451	Not surveyed.
10—60	.....	...	...
61	Niler Char ...	2063	3559	Diluviated.
62	.....	...	3560
63	Rámgopálpur ...	296	3561	Not surveyed.
64	Báhádupur ...	167	3562	
65	Káuár Char ...	203	3563	
66	Násirárkándi ...	1039	3564	
67	Nápitmára ...	86	3565	
68	Mohanpur ...	1713	3567	
69	Hogláhásimpur ...	887	3568	
70	North Boro Char ...	258	3566	
71	Ekláspur ...	1964	3569	
72—130	Not surveyed.

Juris- diction number.	Name.	Aren.	Revenue Survey and Thakbast number.	REMARKS.
131	Haldia ...	915	3515	
132	Ramdaspur ...	469	3516	
133	Sankibhanga ...	561	3570	
134	Jahirabad ...	500	3571	
135	Jaypur ...	353	3572	
136	Naubhanga ...	469	3573	
137	Chhota Char Kaliá	941	3511	
138	Char Mahishmari	361	3574	
139	.....	...	3508	Diluviated.
140	.....	...	3507	Ditto.
141	Char Machhua ...	247	3506	
142	Bara Char Kaliá	1906	3512	
143	Bhasan Char ...	211	3513	
144	Khas Uddhamdi	668	3193	
145	.....	...	...	Not surveyed.
146	Char Pathalia	226	3194	
147—223	.....	...	...	Ditto.
1	Char Faizaddin	89	...	
224				
1	Chariani Diara	213	...	
225				
5	Sikir Char ...	36	...	
226				
63	Char Subandi	377	...	
227				
64	Kaliganj Diara	141	...	
228				
61	Char Elliot	148	...	
229				
67	Char Idris ...	73	...	
230				
66	Chandar Char	303	...	
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70	Baher Char ...	1237	...	
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70	Char Kasim ...	411	.	
233				
70	South Boro Char	874	...	
234				
136	North Poar Char	154	...	
235				

APPENDIX B.

List of estates with land in the mauzas surveyed.

Tauzi No.	Name of Estate.	Area in acres.	Revenue.		
			Rs.	A.	P.
8	Khárijá Táluk, Adám Khán ...	12	20	1	2*
28	Ditto Bhabáni Charan Sen and others.	185	964	6	5
39	Ditto Sáyed Golám Mahámád ...	1,099	470	6	5
40	Zámindári, Shokh Serájaddin, hisya As. 6	903	480	8	6
41	Ditto ditto do. „ 2	379	260	4	3
42	Ditto ditto do. „ 2	398	260	4	3
47	Khárijá Táluk, Dayárám Mazumdár ...	144	2,015	13	10
51	Ditto Durgarám Mazumdár ...	92	1,991	7	6
53	Ditto Dharma Ratna Ghosh ...	148	142	3	11
59	Zamindari Gangamandal ...	123	55,430	7	5
61	Khárijá Táluk, Gobinda Rám Ray ...	2,981	3,228	2	2
67	Ditto Gopal Ray Krishna Sarma	40	577	9	7
70	Ditto Ghatak Chaudhuri ...	198	131	4	6
72	Ditto Habibullá ...	28	183	11	9
75	Ditto Hari Narayan Chaudhuri	604	4,515	8	0
76	Ditto Gauri Priya Debya ...	45	300	13	2
77	Ditto Rám Priya Debya ...	46	300	13	2
95	Zamindari Hamnábád, Hisya 7 gandas ...	10	2,400	0	0
96	Ditto Hamnábád, do. 15 gandas ...	9	4,800	0	0
99	Ditto ditto, do. 1 a. 9 gs. 1 k. 1 t.	4	9,926	3	7
108	Khárijá Táluk, Mrizah Imám Baksh, hisya 1 a. 10 gs.	197	125	1	7
109	Ditto Mrizah Imám Baksh, hisya As. 2.	246	125	1	7
110	Ditto Mrizah Imám Baksh, hisya As. 3.	8	250	3	2
111	Ditto Mrizah Imám Baksh, hisya As. 9 10 gs.	965	792	4	10
121	Ditto Jay Krishna Dás Basu and others.	99	119	13	10
124	Ditto Jay Narayan Ghosh ...	2	119	15	1
127	Ditto Kálá Chánd Abhirám and others.	195	127	3	2
133	Ditto Krishna Chandra Dás ...	187	206	15	8
134	Ditto Krishnadás Sarma and others.	37	133	10	8
136	Ditto Krishna Manikya Mazumdár.	270	1,490	1	7
138	Ditto Krishnarám Panchánan ...	9	194	14	11
143	Ditto Baidya Náth Ray ...	5	214	6	5
144	Khárijá Táluk, Lál Bibi ..	56	202	2	2
146	Zamindari Joár Lálpur, hisya As. 5	615	476	10	8
147	Ditto ditto „ 5	819	476	10	8
148	Ditto ditto „ 6	726	572	0	0
154	Ditto Mahisáil ...	2	289	1	1
171	Khárijá Taluk, Mahammad Hasen	86	122	15	1
173	Ditto ditto Wárish	203	221	13	10
175	Zamindari Maijaddi hisya As. 7	3524	898	4	5
176	Khárijá Taluk, Mangal Ján ...	58	111	7	6
181	Ditto Mrija Ján ...	415	709	13	10
186	Ditto Náim Háníf ...	47	124	0	0
187	Ditto Náokari Bhuia ...	149	229	5	4
201	Ditto Neámatullá ...	213	218	2	2
204	Ditto Ulfatunnessa, hisya As. 12	498	618	9	7

* Government purchase.

Tauzi No.	Name of Estate.	Area in acres.	Revenue.		
			Rs.	A.	P.
206	Khárijá Táluk, Parbarti Charan Sen	78	138	6	5
209	Pargana Purchandi, Náwará hisya As. 3..	165	235	11	9
214	Khárijá Táluk, Rádha Krishna Mukhuti	65	117	5	4
220	Ditto Rajib Dás, hisya, As. 2 ...	63	108	9	10
221	Ditto Ráj Kisor Ray ...	29	289	0	5
223	Zamindari, Shekh Serájaddin, hisya As. 2	390	649	13	10
224	Ditto ditto do. „ 2	422	649	13	10
225	Ditto ditto do. „ 2	366	649	13	10
228	Khárijá Táluk, Rám Kánta Singha, hisya 1 as. 7 gs. 2 k.	59	232	13	7
229	Khárijá Táluk, Rám Kánta Singha, hisya 2 as. 7 gs. 2 k.	139	408	0	8
230	Khárijá Táluk, Rám Kánta Singha, hisya 2 as. 12 gs. 1 k.	170	448	7	10
231	Khárijá Táluk, Rám Kánta Singha, hisya 2 as. 12 gs. 1 k.	174	448	7	10
232	Khárijá Táluk, Rám Kánta Singha, hisya 2 as. 3 gs.	110	368	8	10
233	Khárijá Táluk, Rám Kánta Singha, hisya 2 as. 3 gs. 2 k. 1 kt.	96	373	3	6
236	Khárijá Táluk, Rám Dhán Mazumdár ...	222	1,189	13	10
238	Ditto Rám Kánta Singha, hisya 2 as. 14 gs. 1 k.	168	462	7	1
240	Ditto Rám Lochan Datta and others.	145	342	6	5
241	Ditto Rám Manikya Guha ...	670	370	2	2
243	Ditto Rám Mohan Mazumdár ...	153	2,654	10	4
245	Ditto Rám Rám Mazumdár ...	352	560	2	0
251	Ditto Rakánuddini ...	425	438	6	5
265	Ditto Sib Prán Rup Gupta, hisya 1 a.	1	137	5	4
266	Ditto Sib Prán Rup Gupta, hisya 3 as.	1	412	0	0
267	Ditto Sib Prán Rup Gupta, hisya 3 as. 15 gs.	1	515	0	0
268	Ditto Sib Prán Rup Gupta, hisya 3 as. 15 gs.	1	515	0	0
269	Ditto Sib Prán Rup Gupta, hisya 4 as. 10 gs.	1	618	0	0
283	Ditto Sobharám Mazumdár ...	239	406	5	6
284	Ditto Shekh Sonáulla ...	192	218	2	2
285	Ditto Sribatsa Dás ...	1,135	1,232	11	7
314	Ditto Golám Muhammad Chau-dhuri.	733	302	4	1
331	Ditto Matiulla Shekh ...	365	436	4	3
343	Ditto Ratneswar Sen, hisya 14 as.	748	373	7	9
406	Mahál, Boro Char ...	1,470	1,584	12	6*
409	Do. Char Cháriáni ...	282	497	0	0*
430	Do. do. Gázipur ...	1,529	1,233	0	1*
455	Khárijá Táluk, Daya Bibi ...	7	5	11	9
457	Mahál Char Káliá ...	699	1,525	13	0*
503.	Do. do. Putiá ...	52	112	0	0*
506	Khárijá Táluk, Rám Jay Basu ...	146	271	5	0
509	Ditto Dhani Rám Dhar ...	2	261	9	8
524	Ditto Baramulla Mallik ...	60	60	12	10
526	Ditto Bishnu Rám Chakrabarti ...	70	66	8	10
527	Ditto Bisweswar Deb ...	51	50	1	1
535	Ditto Dilwár Khán ...	8	86	6	5
536	Ditto Domán Rafi ...	11	53	7	6

* Alluvial daimi.

Tauzi No.	Name of Estate.	Area in acres.	Revenue.
			Rs. A. P.
541	Khárijá Táluk, Golám Gafur ...	94	64 0 0
544	Pargana Gunánandi, Hisya 2 gs. 2 ks. ...	60	65 12 8
552	Khárijá Táluk, Jadu Rup Ray ...	58	79 10 2
555	Ditto Kámdar Khán ...	39	51 8 3
573	Ditto Madhab Achárjya ...	30	56 8 6
574	Ditto Muhammad Asráf ...	39	72 12 10
576	Ditto Masur Manu Rájá ...	71	74 7 3
578	Ditto Muktarám Sikdar ...	4	71 3 2
584	Ditto Prán Krishna Basu ...	17	53 13 0
585	Ditto Prasád Rághu ...	4	51 8 3
591	Ditto Rághurám Ghosh ...	52	85 6 0
592	Ditto Rajib Ghosh ...	86	94 3 2
595	Ditto Rajib Sikdar ...	83	63 6 3
599	Ditto Rámdhán Ray ...	42	55 1 1
601	Ditto Rámngati Ganguli ...	218	53 8 6
611	Ditto Rám Sankar Ghosh ...	75	93 9 10
619	Ditto Sib Ghosh ...	68	82 11 9
628	Ditto Tarka Panchánan ...	81	95 13 4
630	Ditto Uday Nandi ...	29	55 8 10
638	Ditto Amáullá ...	9	74 10 8
648	Pargana Purchandi, hisya Anna 1 ...	38	63 0 8
677	Mahál Char Bátardiá ...	11	42 13 7*
697	Pargana Purchandi, hisya As. 3 ...	34	99 10 0
701	Khárijá Táluk, Abdul ...	12	14 5 7
704	Ditto Abdul Nabi ...	27	13 5 4
711	Ditto Asánullá ...	14	32 8 6
735	Ditto Badiuzzamá ...	17	46 11 6
740	Ditto Bani Khanám ...	19	18 10 8
745	Ditto Binod Rám Mitra ...	9	10 13 10
746	Ditto Beráhim Sekh ...	13	18 12 10
753	Ditto Bholá Náth Chakrabarti ...	89	14 9 6
770	Ditto Debi Darpa Narayan ...	13	25 7 0
772	Ditto Debi Prosád Gúha ...	17	31 6 5
778	Ditto Durgá Rámananda and others ...	6	17 1 1
780	Ditto Dhani Rám Sarma ...	21	17 12 10
784	Ditto Enayet ...	19	17 14 3
789	Ditto Gangá Hari Ray ...	12	12 12 6
793	Ditto Gangá Prosád Mallik ...	59	18 5 4
799	Ditto Gobinda Rám Ray ...	10	11 10 11
800	Ditto Gokul Chánd and others ...	18	32 6 5
804	Ditto Ghanesyám Bidyálankar ...	118	11 3 11
812	Ditto Hariballabh Ray ...	14	12 3 2
819	Ditto Jagannáth Ray ...	13	4 12 1
827	Ditto Jagannáth Kundu and others.	28	34 10 11
835	Ditto Jániullá ...	3	12 0 0
838	Ditto Jatar Khán ...	43	23 2 5
843	Ditto Jay Krishna Pál ...	5	16 4 3
844	Ditto Jay Manohar Sinha ...	20	29 1 4
847	Ditto Jay Narayan Chakrabarti ...	9	14 0 10
848	Ditto Jiáulla ...	22	35 4 3
858	Ditto Kalikáprasád Chakrabarti ...	41	20 7 9
859	Ditto Kámdeb Das ...	24	28 4 10
861	Ditto Kánái Thákur ...	19	20 8 10
867	Ditto Kási Náth Chakrabarti ...	31	19 13 3
868	Ditto Kirti Narayan ...	7	15 13 0
869	Ditto Kirti Ray ...	25	17 2 8
874	Ditto Krishnaballabh Chakra- barti.	21	13 5 4
877	Ditto Krishnadás Sur ...	13	41 1 9

Tauzi No.	Name of Estate.	Area in acres.	Revenue.
			Rs. A. P.
879	Khárijá Táluk, Krishna Jiban Chakrabarti	12	10 1 8
880	Ditto Krishna Mohan Pál ...	9	19 3 2
881	Ditto Krishnánanda Dhán Paran- jya.	24	24 8 6
882	Ditto Krishna Dás ...	11	16 2 2
884	Ditto Krishna Rám Chakrabarti	91	36 9 6
888	Ditto Khalil Mahmud ...	34	10 3 0
914	Ditto Mahammad Munir ...	25	12 4 3
915	Ditto Mahammad Murád ...	59	20 8 6
929	Ditto Mánulla Roshan ...	6	10 6 5
930	Ditto Manu Rájá Munshar ...	23	29 8 6
937	Ditto Muktarám Datta ...	16	14 2 5
942	Ditto Murád Khán ...	9	29 8 10
945	Ditto Narayan Chakrabarti ...	19	11 13 10
953	Ditto Náokari Sil ...	24	25 13 4
955	Ditto Nanda Rám Lál ...	11	22 4 8
963	Ditto Wáj Mahammad ...	8	10 6 5
975	Ditto Protáp Narayan Datta ...	13	26 6 2
976	Ditto Prem Narayan Chaudhuri	193	26 8 6
981	Ditto Rádha Mohan ...	8	15 8 8
988	Ditto Rághu Rám Mazumdár ...	1	17 11 9
990	Ditto Rájá Ghosh ...	23	35 4 4
991	Ditto Rájá Rám Chakrabarti ...	15	13 12 3
993	Ditto Ráj Dhullabh ...	19	26 8 3
994	Ditto Ráj Dullabh De ...	15	18 2 2
996	Ditto Ráj Krishna Dás ...	10	10 8 10
998	Ditto Ráj Krishna Sen ...	99	14 5 4
1004	Ditto Rám Chandra Dás ...	3	10 10 3
1015	Ditto Rám Gopal Chakrabarti ...	49	13 8 6
1020	Ditto Rám Jagunnáth Rai ...	13	14 1 4
1030	Ditto Rám Mani Chakrabarti ...	6	17 3 1
1032	Ditto Rám Manikya Guha ...	33	25 6 11
1052	Ditto Rám Prosád Sen ...	13	18 1 4
1053	Ditto Rám Rájá Pál ...	16	41 1 0
1054	Ditto Rám Rájá Banerji and others.	31	15 9 1
1055	Ditto Rám Raman Chakrabarti and others.	50	28 3 2
1056	Ditto Rám Rám Chakrabarti and others.	15	12 5 4
1057	Ditto Rám Ratna Mazumdár ..	17	35 2 11
1066	Ditto Rám Uttam Lodh ...	24	36 12 10
1080	Ditto Swaran Ratan ...	30	24 3 11
1081	Ditto Sarbani Thakuráni ...	20	15 5 7
1083	Ditto Sib Basu ...	2	22 5 1
1092	Ditto Sobha Rám Dás ...	9	11 6 8
1095	Ditto Sobhá Rám Sarkar ...	68	15 14 2
1097	Ditto Sriballabh ...	8	11 3 9
1098	Ditto Sridhar Chakrabarti ...	10	27 14 2
1105	Ditto Syám Chakrabarti ...	19	22 13 4
1108	Ditto Tarkabágis ...	62	32 0 0
1110	Ditto Uday Manikya ...	16	35 0 0
1168	Asidhya Lákheráj, Rámeswar Nyalankar	29	19 11 7
1202	Khárijá Táluk Mani Rám Dhar ...	9	16 6 6
1313	Mahál Char Mulám Rári ...	47	37 14 0†
1314	Ditto Náobhángá ...	15	33 5 0†
1315	Khárijá Táluk, Rám Kesab Ghosh ...	20	25 7 0
1326	Ditto Abdulla Khán ...	7	6 10 2
1327	Ditto Asári Mabulla ...	7	2 12 5
1333	Ditto Alá Baksa Kázi ...	3	5 5 2

* Daimi lákheráj.
† Alluvial daimi.

Tauzi No.	Name of Estate..		Area in acres.	Revenue.		
				Rs.	A.	P.
1335	Khárijá Táluk	Áli Mahámmad ...	6	8	4	3
1337	Ditto	Amir Jafiruddin ...	2	6	13	4
1343	Ditto	Ananta Rám Pál ...	3	5	10	7
1350	Ditto	Bancharám Bishnu ...	8	5	1	5
1351	Ditto	Bancharám Pál ...	2	5	7	6
1358	Ditto	Basirám De ...	1	2	9	7
1364	Ditto	Bochái Rafi ...	7	7	5	0
1368	Ditto	Bhattácharjya ...	26	5	11	1
1375	Ditto	Cháru Fezu ...	3	6	0	0
1377	Ditto	Sayed Lál ...	6	4	11	5
1385	Ditto	Dulabh Chakrabarti ...	11	3	3	2
1387	Ditto	Dulál Gázi ...	14	4	15	6
1388	Ditto	Durgá Dás Chakrabarti ...	70	6	13	4
1393	Ditto	Enayet Domdar Nakari ...	12	9	1	7
1397	Ditto	Gangá Prasád Mallik ...	41	4	15	6
1404	Ditto	Gobinda Sarma ...	2	3	13	7
1405	Ditto	Gopál Ghosh ...	25	6	8	10
1406	Ditto	Gopál Krishna Datta ...	4	5	12	10
1407	Ditto	Gopi Krishna Dás ...	7	6	15	11
1410	Ditto	Gopi Náth Sen ...	28	7	3	6
1412	Ditto	Hayat Khán ...	8	4	4	7
1421	Ditto	Hari Sankar Chakrabarti ...	1	0	11	3
1426	Ditto	Indra Narayan Chakrabarti ...	14	3	12	5
1428	Ditto	Jagat Mohan Das ...	2	6	0	0
1429	Ditto	Jagannáth Bishnu ...	3	1	14	6
1434	Ditto	Jagat Mohan Deb ...	2	8	3	1
1435	Ditto	Jagannáth De ...	3	2	15	2
1436	Ditto	Jakir Gázi ...	2	9	1	6
1437	Ditto	Jalil Khán ...	1	3	8	6
1439	Ditto	Prán Krishna Ghosh ...	1	8	8	6
1444	Ditto	Jayráam Jugi ...	6	9	9	3
1445	Ditto	Jay Singha ...	1	6	6	8
1446	Ditto	Gopál De ...	5	9	4	0
1447	Ditto	Jiban Saran Dás ...	2	5	11	2
1455	Ditto	Kálá Chánd Sarma ...	19	9	14	11
1457	Ditto	Kálái Bakhár ...	8	7	10	1
1466	Ditto	Karam Ulla ...	5	7	13	10
1471	Ditto	Keyámaddin ...	20	4	4	3
1476	Ditto	Kirti Narayan De ...	3	7	3	2
1480	Ditto	Krishna Jiban Chakrabarti ...	4	5	15	6
1483	Ditto	Krishna Rám Ray ...	19	6	5	4
1493	Ditto	Lál Bahadur ...	9	1	8	5
1497	Ditto	Madhu Pál ...	3	8	15	0
1499	Ditto	Mahabulla ...	9	6	0	0
1512	Ditto	Makim Khán ...	16	8	4	4
1516	Ditto	Mangal Muláim ...	5	6	9	9
1521	Ditto	Mathur Chakrabarti ...	9	3	4	3
1522	Ditto	Meher Ullá ...	6	7	7	7
1527	Ditto	Muktarám Bhuiá ...	23	3	7	6
1531	Ditto	Mukta Rám Ray ...	122	2	2	2
1534	Ditto	Mallik Kundu ...	3	6	2	2
1543	Ditto	Nanda Rám Sen ...	4	9	1	0
1544	Ditto	Narasingha De ...	2	7	3	2
1552	Ditto	Paran Chakrabarti ...	16	4	10	8
1555	Ditto	Prán Krishna Basu ...	15	3	15	9
1556	Ditto	Prán Krishna De ...	3	6	8	3
1563	Ditto	Faizulla Sekh ...	22	5	7	6
1566	Ditto	Rádha Ballabh ...	14	7	12	1
1572	Ditto	Rádha Madhab Deb ...	4	2	2	2
1579	Ditto	Rájá Rám ...	5	1	9	6

Tauzi No.	Name of Estate.	Area in acres.	Revenue.
			Rs. A. P.
1583	Khárijá Táluk, Ráj Krishna Chakrabarti	13	8 2 5
1585	Ditto Ráj Krishna Sen ...	2	1 8 0
1586	Ditto Rám Kánta Chakrabarti ...	5	8 0 0
1601	Ditto Rámeswar Sarma ...	9	7 10 8
1606	Ditto Rám Hari Chakrabarti ...	22	3 5 4
1609	Ditto Rám Jay Chakrabarti ...	11	8 11 9
1612	Ditto Rám Kánta Ray ...	41	3 1 1
1613	Ditto Rám Kesab Purahit ...	25	2 5 4
1621	Ditto Rám Krishna Pál ...	6	7 10 5
1629	Ditto Rám Mohan Sur ...	2	3 14 2
1633	Ditto Rám Náth Pandit ...	25	9 0 0
1634	Ditto Rám Náth Sarma ...	15	3 2 4
1642	Ditto Rám Kánta De ...	10	8 14 5
1644	Ditto Rám Ratna Chakrabarti ...	2	2 15 3
1645	Ditto Rám Ratna Pal ...	2	7 0 10
1649	Ditto Rám Sankar De ...	4	3 2 8
1655	Ditto Rám Saran Rai ...	18	3 0 0
1657	Ditto Rám Sundar Rai ...	4	6 1 0
1665	Ditto Rudra Rám Sarma ...	4	3 2 11
1668	Ditto Ruprám Chakrabarti ...	6	7 0 10
1674	Ditto Samser Khátun ...	3	1 9 7
1686	Ditto Srihari Chakrabarti ...	3	6 11 9
1687	Ditto Srikrishna Dás ...	13	3 2 2
1689	Ditto Sujágar Mazumdár ...	11	5 2 9
1693	Ditto Tarka Bhusan ...	7	6 5 1
1694	Ditto Thákur Dás ...	2	2 1 1
1709	Ditto Nagar Malangi ...	111	3 7 5
1711	Ditto Raghab Jagannáth De ...	4	9 6 11
1792	Ditto Amári Khán ...	6	4 6 9
1793	Ditto Atmarám Sardar ...	7	8 0 0
1796	Mahál Nutan, Bhásan Char ...	23	7 9 0
1815	Khárijá Táluk, Sadulla Manjhi ...	4	6 1 1
1818	Ditto Durgá Charan Dhar ...	2	8 11 3
1819	Ditto Gopi Náth Sil ...	3	3 1 9
1827	Ditto Kefáit Khán ...	3	5 11 1
1833	Mahál Mahishnári Dari Char ...	13	10 2 0*
1839	Khárijá Táluk, Mallik Hossain ...	3	3 6 3
1844	Ditto Nursingha Chakrabarti ...	2	2 3 0
1845	Ditto Umed Khán ...	4	3 0 8
1853	Ditto Syám Chakrabarti ...	3	5 6 6
1854	Ditto Uzir Khán ...	4	4 5 3
1857	Mahál Char Gázipur Manipur ...	747	1,194 8 6†
1859	Pargana Gunánandi, hisya 15 as. 17½ gs. Dihi north.	6,501	6,934 7 4‡
1860	Pargana Gunánandi, hisya 15 as. 17½ gs. Dihi south-east.	36	1,538 4 0‡
1861	Pargana Gunánandi, hisya 15 as. 17½ gs. Dihi west.	1,753	3,416 0 0‡
1862	Mahál Char Háim ...	7,959	18,603 6 6†
1863	Ditto Isánbálá ...	3,503	5,922 14 3†
1867	Mahál Khálisá Náorá ...	1,610	3,105 12 0‡
1868	Mahál Char Khánepura ...	1,175	3,081 0 0†
1871	Ditto Nil Kámal ...	2,146	5,128 13 0†
1874	Khárijá Táluk Rám Kisor Basu ...	137	763 15 3‡
1900	Dihi Kanudásdi Khárijá Táluk Sib Braja Datta and others.	296	408 3 10
1903	Dihi Matlab and others ...	64	160 9 1
1928	Mahál Char Udhamdi ...	545	556 7 7§
1938	Khárijá Táluk Anu Murád ...	25	61 7 6
1946	Ditto Bijayrám Sarkar ...	17	172 13 0‡

* Alluvial daimi.

† Government island.

‡ Government purchase.

§ T. S. P. accretion.

Tauzi No.	Name of Estate.	Area in acres.	Revenue.		
			Rs.	A.	P.
1949	Mahál Char Poár ...	271	232	4	8*
1951	Khárijá Táluk, Bhagyabanta Ray	1	52	10	3
1953	Mahál Bhásan Char	72	65	5	7†
1958	Khárijá Táluk Gauri Ghosh	21	88	7	5†
1965	Ditto Ahamad Khán	1	1	12	7†
1967	Mahál Char Krishnapur	1,184	1,692	15	8*
1969	Ditto Máchhua Káchua	247	485	10	0*
1971	Mahál Madhyamchári	277	303	10	3*
1972	Mahál Char Mahismári	243	729	8	9*
1973	Pargana Maijardi, hisya As. 9	263	1,534	15	10†
1978	Mahál Char Pátháliá	192	329	5	4*
1981	Khárijá Táluk, Parasurám Ghosh	1	1	8	0†
1984	Mahál Náora, hisya anna 1	1	5	3	8†
1985	Mahál Char Fatehjánpur	377	783	14	11*
1995	Ditto Narsingpur	21	99	14	8*
1997	Háolá Jugal Krishna Dás	330	1,099	2	6†
2005	Mahál Char Nandalál	793	947	2	1*
2026	Ditto Krishnapur	627	1,301	0	0§
2068	Diárá Táluk, Chandra Mohan Chakrabarti	119	295	2	0§
2070	Ditto Ráj Krishna Mallik	141	205	0	0§
2092	Ditto Káji Karim Baksh, hisya As. 8.	377	414	14	0§
2095	Ditto Ráj Kumár Rai	283	Not settled.**		
2097	Ditto Kázi Karim Baksha	168	248	8	9§
2099	Ditto Lakshmi Narayan Sukul	194	549	0	0§
2129	Khárijá Táluk Pares Náth Sen	2	13	2	9††
2170	Mahál Char Elliot	148	290	0	0
2295	Ditto Bairági	55	Without demand.*		
2296	Do. Sonápur Tázpur	197	870	4	†
2472	Do. Char Prokás	311	264	15	6*
2526	Diárá Táluk Kámini Mohan Gop	41	66	0	0§
2528	Mahál Char Kásim	264	Not settled.*		
2529	Khárijá Táluk Ulfatannessa, hisya As. 4	120	205	1	0
2547	Mahál Char Idris	73	14	11	0*
2649	Ditto Faijaddin	89	153	7	0*
2749	Diárá Taluk Kamati Prosád Sukul and others.	531	1,251	12	0§
2750	Ditto Ráj Kumar Ray Chaudhuri and others.	60	80	0	0§
2751	Ditto Golám Mahammad Chaudhuri.	11	21	2	7§
2752	Ditto Harihar Ghosh	69	134	12	9§
2753	Ditto Sris Chandra Bandapadhyaya	4	10	0	5§
2754	Ditto Gobinda Chandra Basu and others.	1	1	15	4§
2755	Ditto Chandra Kisor Ghosh	8	18	2	4§
2756	Ditto Bilás Chandra Ray	3	7	11	0§
2782	Ditto Raghu Náth Das and others	11	16	0	0§
2783	Ditto Aptabaddin Sarkar and others.	9	15	14	0§
2784	Ditto Ajimaddin Munshi	98	207	0	0§
2785	Ditto Rajani Kánta Dalál	18	20	0	0§

Estates on the Register B Part I of the Tippera Collectorate.

15	Nishkar Táluk Gopi Náth	2	...
45	Lákhraj Mahál Gázipur Kutubpur	6	...
46	Lákhraj Lakshmi Narayan Chakrabarti hisya 3 as. 4 gs.	3	...

* Government island.
§ T. E. P. accretion.

† Alluvial daimi.
** Accretion purchased by Government.

† Government purchase.
†† Government acquired land.

Tauzi No.	Name of Estate.	Area in acres.	Revenue.
64	Nishkar Táluk Rahámatulla ...	8	...
89	Ditto Chandra Hari ...	1	...
367	Lákheráj Gopi Náth ...	3	...

Estates on Register B Part II of the Tippera Collectoriate.

1	Revenue and Criminal Department ...	2	...
2	Civil Department ...	3	...
3	Public Works Department ...	46	...
4	Police Department ...	1	...
5	Postal Department ...	1	...
6	Registration Department ...	1	...
9	Jail Department ...	1	...
10	Eastern Bengal and Assam Railway ...	139	...
12	District Board ...	2	...
13	Chándpur Municipality ...	60	...
637	I. G. N. and R. S. N. Company ...	1	...

Estates on the Tauzi Roll of the Faridpur District.

5569	Zamindari Baikunthapur ...	784	Rs. A. P. 6,275 15 3
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Estates on the Tauzi Roll of the Dacca District.

49	Zamindari Rám Manikya Sen ...	19	Rs. A. P. 693 5 3
60	Ditto Rudra Narayan Krishna Deb Ray.	647	85 5 4
241	Zamindari Munsí Imamdí ...	140	4,500 9 4
242	Ditto do. Jahiraddin ...	117	3,883 9 6
243	Ditto do. Jamir Hasen Hosen Choudhuri.	117	2,884 15 11½
304	Ditto do. Kirti Narayan Sen Chaudhuri.	11	1,853 3 6
306	Khárijá Táluk Sita Rám Ray ...	8	118 6 4
411	Ditto Ráj Narayan Sen ...	1,328	132 2 12½
2584	Ditto Ráj Krishna Ray ...	21	104 2 3
13,674	Mahál Char Laggimará ...	43	70 14 1
13,675	Mahál Char Jagannáth ...	155	28 2 8
14,725	Khárijá Táluk Sarat Kumar Ghosh ...	5	3 1 11

Estates on the Register B Part I of the Dacca Collectoriate.

1602	Khárijá Táluk Abináš Chandra Guha ...	5†	...
1609	Ditto Abhay Chandra Chaudhuri	2†	...
1615	Ditto Rohini Kumar Ghosh ...	1†	...
1618	Ditto Baikantha Chandra Banda-padhyāya.	3†	...

* Alluvial daimi.
† Redeemed.

APPENDIX C.

Judgment of the Board of Revenue on the Boro Char Diara Case.

CASE No. 306 OF 1912.

Before the HON'BLE MR. D. J. MACPHERSON, C.I.E., I.C.S., Member in charge.

In the proceeding No. 28, dated the 24th September 1912, to which the present objection relates, the Settlement Officer, who has been conducting a diara survey of the lands along the banks of or in the channel of the rivers Meghna and Padma in the districts of Tippera, Faridpur and Dacca under Act IX of 1847, has proposed to assess to revenue certain alluvial accretions on the Tippera bank of the river Meghna to a permanently settled estate No. 406 of the Tippera Revenue Roll of which the objectors are proprietors.

These same proprietors likewise object to the assessment of a char, known as Silar Char which forms the subject of the Settlement Officer's proceeding No. 29, dated 10th July 1912.

The objections to the assessment in both cases are based on the same grounds, and they have been argued together. They are objections 306 and 296 of this Court respectively.

The contention of the objectors is that the lands which the Settlement Officer proposes to assess in both cases were already assessed to revenue when estate No. 173 (now No. 406) was settled permanently with the objectors' ancestor in 1868. It is argued that what was settled was not merely the lands or chars then in existence but also lands then in the beds of the various channels flowing between the different chars which had been treated as Mahal No. 173. The burden of proving that the particular lands which it is now proposed to assess to revenue have already been assessed as included in estate No. 406 rests upon the objectors. This dictum is settled law (of the Privy Council decision in the case of Jagadindra Nath Roy v. the Secretary of State in India Law Report, 30 Cal. 300).

The history of what is now permanently settled estate No. 406 is as follows :—Its nucleus was an island which formed in the river Meghna and which was taken possession of by Government as its property in the year 1834 under Regulation 2 of 1819. This river is the largest navigable river in India and the whole of its bed is the property of the Crown and was excluded from the riparian estate which was assessed to revenue at the Permanent Settlement. The island char was at first settled summarily and thereafter it was held under Khas management by Government up to the Bengali year 1248 (1841-42). From 1249 to 1269 B. S. (i.e. up to 1862-63) it was settled on a farming settlement for 20 years on a sadar jama of Rs. 468. Thereafter it was settled year by year up to 1272 B. S. (1865-66) on a sadar jama of Rs. 1,010. It was further summarily settled for the year 1273 (1866-67) on a sadar jama of, apparently, Rs. 1,150. It was meanwhile remeasured and reassessed in the spring of 1857 with a view to a permanent settlement of the estate, that is, to a sale by auction of the proprietary right of Government in the estate at a sadar jama fixed in perpetuity.

It appears from the report of the Collector of Tippera, No. 234, dated 29th September 1867, that the area of the estate was found on this occasion to be 2,035 acres, after excluding about 300 acres which were claimed by the proprietors of estates on the main land to be accretions to their property owing to the channel between what was formerly an island and their estates lying to the north of it having silted up. The above area was assessed at an all-round rate of Rs. 10 per kani (7½ bighas) for the bhiti lands and at the rate of Rs. 4-8, Rs. 4, Rs. 3-8 and Rs. 2-8 for the nal lands under cultivation, which were divided into four classes, and at Rs. 2-8 and Re. 1 for the nal lands which were still uncultivated but which were capable of being brought under cultivation and which were divided into two classes. On the basis of these rates, the sadar jama of the estate after deducting proprietary and collection allowances was assessed at Rs. 1,569, that is, at Rs. 419 above the previous jama. With the sanction of the Board of Revenue, the proprietary right of Government in the estate was put up to auction on the 16th March 1868 subject to the above sadar jama of Rs. 1,569 and Road Fund Cess amounting to Rs. 15-12, total Rs. 1,584-12, as permanently settled jama, and was bought by the predecessor of the present objectors for a sum of Rs. 25,560. This permanent settlement took effect from the beginning of the Bengali year 1274 (1867-68). Later on, the estate was given the number 406 on the Tauzi Roll of the Tippera Collectorate. The name of the estate throughout has been Borochar.

The earliest map of the estate referred to in the proceedings forthcoming among the papers of the case before the Board is the map of the Thak Survey in March 1862. This was followed by the Revenue Survey of the season 1862-63. Next comes the map of the survey that was made in the spring of 1867 for the purpose of the permanent settlement of the estate. Thereafter there is the map of Babu Parbati Charan Roy's diara survey in 1878-79. The area at the time of the Revenue Survey was found to be 1,549 acres. By 1867 it had increased to 2,035 acres. At the diara survey of 1878-79 the surplus accretions over the Revenue Survey at the time of survey area of 1862-63 were found to amount to 1,052 acres, that is, to 566 acres over the area of the estate at the time

of its permanent settlement. But out of this excess of 566 acres no less than apparently 481 acres were left unassessed and released by an order passed by the Officiating Commissioner of Dacca on the 2nd January 1884 and a surplus of apparently only 85 acres was assessed as a result of the diara survey. The present diara survey has disclosed an area of 543.25 acres as accreted to an estate No. 406 outside of the area embraced in that of 1879. The assessment of this area forms the subject of proceeding No. 28, which deals with the accretions to the five portions of Borochar that were in existence at the Revenue Survey of 1862-63; it is also the subject of objection 306 before the Board. But, in addition to this, the proprietors of estate No. 406 claim as an accretion to their estate an area of 233 acres which has been ascertained at the present survey to have formed outside the diara survey line of 1878-79 of the sixth portion of the Barachar estate. This area forms the subject of proceeding No. 29 and of objection No. 296 before the Board.

The claim of the objectors is that the estate settled with them permanently from the year 1867-68 was estate No. 173 the property of Government as depicted on the Thak map of 1862, including the beds of all the channels flowing between the various portions of the estate. It is true that the Thak map shows the external boundary of estate No. 173 Borochar as running along the outer margin of the various islands of parts composing it and is taken across the canals which intersect that boundary and does not depict the separate islands or parts inside that boundary or show the canals intersecting them. The Revenue Survey map which followed close on the Thak map likewise shows the external boundary as above, while it further depicts the various islands and canals within that periphery, but it is clear from a comparison of these two that the entirely separate islands, subsequently called Part IVth of Borochar, was excluded from the estate as shown on the Thak map, although it was in existence at the time of the Revenue Survey. It had apparently formed or at any rate became capable of occupation, after the Thak survey. Moreover neither the Thak nor the Revenue Survey show the island or char which is depicted on the Settlement map of 1867 as Part VI; this formed after the Revenue Survey. From its appearance it would seem to have formed originally as an island, and in the Diara Sub-Deputy Collector's report of the 6th August 1883 it is stated to have been an island when measured in 1867; but, like the neighbouring portions II and III in the northern tract of the group, it would appear to have extended northward until it joined the land to the north by a narrow neck. By 1878-79, however, this neck had been washed away and Part VIth had become an island again. If estate No. 173 as depicted on the Thak map of 1862 is to be taken as the basis of the objectors' claims, it would be necessary for them to abandon Parts IV and VI as shown on the settlement map of 1867. It is certain, however, that what is shown as these two parts on the latter map was included in the area assessed to revenue when the estate was permanently settled and sold in 1868. It is clear that what was sold and settled with the objector's predecessor in that year was, not estate No. 173 as shown on the Thak or on the Revenue Survey maps, but what was shown on the settlement map of 1867 and assessed to revenue in the latter year.

Now the map of 1867 shows every one of the six portions entirely separately. There is no general periphery, nor is there any connecting line between any of them except dotted lines showing three bearings taken across each of the intervening canals. It is evident that estate No. 173 merely consisted of the various islands or chars that formed from time to time in that particular portion of the great Meghna river and were treated as a single estate merely for administrative convenience. Every time a fresh island or accretion formed in the locality, it was assessed to revenue and included in the estate for administrative purposes.

Now it must be remembered that the original nucleus of the group was an island that formed in the bed of Meghna river. All the subsequent five portions likewise formed as islands in that river with the result that they were throughout treated as the property of Government and not as accretions to or reformatations *in situ* of any neighbouring private estates. The circumstance that Nos. II, III and V subsequently lost their insular character by the canals between them and the main land having become silted up did not in any way affect the basis on which the proprietary right of Government in them was founded, namely, that they were islands to begin with. Now the whole bed of the river Meghna, the largest navigable river in India, was the property of the State and was never included in any of the riparian estates when these were assessed to revenue. The channels between the various islands of this group have throughout been part of the river Meghna and have thus remained the property of the Crown. The clearest possible evidence would be required before it could be held that the State had alienated its proprietary right in the beds of these canals. All that can derogate from its full proprietary right in the channel between the various portions of the estate sold to the objectors is the right which they have obtained to lands which may accrete to the lands of the estate on the recession or drying up of these channels; but such accretions nevertheless remain liable to assessment to revenue as the beds of the channels cannot have been assessed to revenue at the time when the estate was sold. The particulars which exist show that the assessment of 1868 was made only on the lands then in existence above the water. Indeed, the objectors admitted this position in agreeing in 1884 to pay revenue on the areas that were found to have accreted to Parts II and V by the diara survey of 1878-79. Moreover when it was decided to sell the group at a revenue fixed permanently, it was expressly recorded that this would not prejudice the right of Government to assess to revenue under Act IX of 1847 any accretion that might be added to

the area of the estate by alluvion (*see* Collector of Tippera's No. 234, dated 28th September 1867, paragraph 3f). The onus is on the objectors to show that the beds of the channels intersecting the various portions of the estate were assessed to revenue in the assessment that was made permanent on the sale of the estate to them in 1868. This burden they have altogether failed to discharge: on the contrary, the considerations set out above raise the strongest possible presumption, and indeed actually amount to proof, that they were not so included. The Board accordingly holds that all lands added to the estate since that assessment, that is, all lands added to the different portions of the estate depicted on the settlement map of 1867, are liable to assessment.

Since then, however, there has intervened the diara survey of 1878-79 carried out under Act IX of 1847 which showed that lands aggregating 566 acres had been added to the estate since it was permanently settled. The manner in which the assessment of these accretions was dealt with on the conclusion of that survey requires to be considered. It has indeed resulted in much confusion whether genuine or not, in the grounds upon which the present claim of the objectors are based. On the 6th August 1883 Babu Shashi Bhusan Dutt, a Sub-Deputy Collector employed under Babu Parbati Chandra Roy, Superintendent of Diara Survey, reported that there appeared to have been an error in the settlement map of 1867 in estimating or depicting the breadth of the channel which separated Part I from Part V. The width of that canal was practically the same at the survey of 1878-79 as it was at the Revenue Survey of 1862-63, but the settlement map showed it as twice as wide. The Sub-Deputy Collector concluded that Part I should be shifted on the settlement map to the northwards by half the width of the channel as shown on it; but by doing this the three Parts III, IV and VI which were islands at the settlement of 1867, likewise became shifted northwards to the same extent. This resulted, however, in some portions of the northern end of Part III overlapping some of the lands of the neighbouring estate of Jokarbanda, from which the Sub-Deputy Collector inferred that there must have been another mistake in estimating or depicting the width of the channel between Part I and the island Part IV. He accordingly concluded that the boundaries of Borochar according to the settlement map of 1867 could not be correctly demarcated on the spot. The Superintendent accepted the conclusion that the settlement map could not be correctly plotted on the diara survey map, except Parts II and V which were connected with the main land; and, on the analogy of a case called the Char Kishoregunj case, he recommended that the surplus accretions to Parts I, III, IV and VI be left unassessed, and that only the lands accreted to Parts II and V should be assessed. This recommendation was approved in the Officiating Commissioner of Dacca's Memorandum No. 818 dated 2nd January 1884. The result was that no less than, apparently, 481 acres shown by the diara survey to have accreted to Borochar estate over and above what was its area at the time of settlement were left unassessed or released. Subsequently the Collector of Tippera apparently on information contained in a petition by one Ram Kanta Kundu to the Board in March 1884, made an enquiry with regard to the accretions to estate Borochar and reported to the Commissioner of Chittagong, in his No. 1785G., dated 26th March 1886, that the above order of release had been based on faulty information. The Commissioner, however, held that the order of 2nd January 1884, whether right or wrong, must be taken as final and directed the Collector to drop the proceedings he had taken or proposed to take for assessing the lands which had been released. The Collector, however, made a further reference on the subject in his letter No. 654G., dated 1st September 1886, contending that the diara settlement proceedings in which the order of release had been passed had not been submitted to or sanctioned by the Board and were therefore not final. The Commissioner thereupon submitted the matter to the Board, remarking that, though Government was a distinct loser, the order of release, whether right or wrong, was in his opinion legally final. The Board replied (*vide* their No. 449A., dated 27th November 1886) that, as the diara survey of the tract in question, had already been finally approved by Government, as notified under section IV, Act IX of 1847, on the 6th July 1881, the order of release must be held to have become final. It may be observed, in passing, that the Board at that time omitted to notice that the approval of the *survey* did not preclude consideration of the question of assessment of revenue which did not take place until subsequently. The Collector then proceeded to assess the accretion to Parts II and V shown on the diara survey map, and their settlement for 15 years from April 1879 on a revenue of Rs. 73 was approved in the Board's letter No. 56A., dated 7th February 1887.

It is argued before the Board by Counsel for the objectors that the above order of release was tantamount to an admission of principle that lands which were under water in 1867 formed part of the estate purchased by their predecessor, and that on the same principle all the lands outside the diara survey line of 1878-79 which it is now proposed to assess should be released as included in the estate as sold in 1868. Having regard to the grounds, set forth above, on which the order of release was based, the Board cannot refrain from expressing astonishment that Counsel should have ventured to put such an argument before it. The order of release was passed simply because it was represented that the boundaries of the estate as settled in 1868 could not be plotted on the diara survey map owing to some error in representing the distances across the channels that separated the various islands as shown on the map of 1867. The Board is indeed unable to understand why some error in that respect as reported by the Sub-Deputy Collector was so readily accepted by the Superintendent and the Commissioner as sufficient to support the conclusion that it was impossible to ascertain the correct

situation and boundaries of the various portions of the estate shown on the map, or, even if it might be impossible to obtain absolute accuracy at certain points, why this could possibly justify, without any further attempt whatever, the release of so large an area as was shown to have been added to the estate. The only obstacle in the way was an error in the triangulation from island to island that did not, as now ascertained, exceed at the outside 15 chains. The Board can only suppose that as a period of five or six years had been allowed to elapse since the diara survey, those who are concerned in it were desirous of closing the matter in a perfunctory way. It will be observed that the order of release was passed two and a half years after the diara survey had been approved by Government. No sooner was the order of release passed than the neighbours realised what a great mistake had been made to the disadvantage of Government (*vide* petition of Ram Kanta Kundu received by the Board on the 31st March 1884 and sent down to the local officers for disposal which mentioned the area as about 4,000 bighas), and the Collector of Tippera made enquiries which left no room for doubt in his mind that the order of release was based on faulty information.

A glance at the diara survey map of 1878-79 will at once show that a large quantity of land must have been released that could by no possibility have been included in the areas depicted on the map of 1867, particularly almost the whole of the island marked Part VI. In the opinion of the Board it would be possible even now to relay with substantial accuracy the boundaries depicted on that map. As it is, the Settlement Officer does not propose now to assess any lands falling within the lines of the diara survey of 1878-79, so that there is no proposal to assess any of the released lands. The Commissioner's order of release, considering the grounds on which it was based, must be strictly limited to what lay within the diara survey boundaries.

As regards the objection No. 296 raised to the assessment of 233 acres of Silar Char, which is the subject of proceeding No. 29, it appears that this first appeared shortly before 1890 as an accretion to what the objectors claimed to be portion of Borochar estate, but which lay outside the diara survey line of 1878-79. The Collector of Tippera claimed it to be a reformation *in situ* of a portion of the island estate of Chirar Char the property of Government and proceeded to assess it to revenue as such. The Commissioner of Chittagong, however, in his decision of the 10th September 1890, held that the Collector's *ultra vires* as the land could not be assessed until the next survey, that is, under Act IX of 1847. The present is the first survey under that Act since 1878-79. It is obvious that this land, which has now extended so as to form an accretion also to the Government estate of Chirar Char, lies far to the south of any possible relay of the map of 1867 and is outside the area surveyed in 1878-79 as accreted to the objector's estate. It is therefore now properly assessable to revenue. The right of Government to assess it now has in no way whatever been prejudiced by the order of the Commissioner of Chittagong cited above.

The Board accordingly disallows the grounds upon which the objection of the proprietors of estate No. 406 to the assessment of 776½ acres proposed in the Settlement Officer's proceedings Nos. 28 and 29 is based. The lands aggregating that area lie entirely outside the boundary lines of the diara survey of 1878-79. No attempt has been made at the hearing of this case nor before the Settlement Officer to show that any portion of the estate which the Board holds to have been settled permanently with objectors on the basis of the map of 1867 or of the map on which they rely, the Thak map project beyond the diara survey lines. If they had made and persisted in any claim of this sort it would be only reasonable that the whole question of what were the actual limits of the lands settled with them on the basis of the map of 1867 should be gone into; and the question would then arise as to whether any surplus lands beyond those limits disclosed at the diara survey of 1878-79, but left unassessed because of faulty information supplied at that time should not now be assessed in accordance with the principle laid down in section 3, Regulation II of 1819. In Act IX of 1847, as was pointed out by the Board in deciding the case Char Bhadrasan in 1880, which has been cited by the Director of Land Records, there is nothing enjoining comparison between the maps of the previous and the new survey; it is sufficient for the purpose of assessing to revenue that it should appear "on inspection of any such new map that land has been added to any estate paying revenue direct to Government." No doubt, the general principle would appear to be not to go behind the map of the previous survey: but it is now fully recognised that this has to be done in certain cases according to the nature of the claims put forward by objectors to the assessment, as for instance, when it is claimed that land shown as added to an estate since the previous survey is really a reformation *in situ* of the estate as originally assessed to revenue. On this analogy it appears to the Board that the whole question of what lands have been added to the present estate since its assessment to revenue, that is since 1867 could have been gone into had the objectors pressed the point that the line of the diara survey of 1878 and 1879 did not lie wholly outside that estate or that the limits of the estate as assessed to revenue in 1867 had not been correctly ascertained either at that survey or at the present one.

In one case, however, the objectors do urge, though the point was not mentioned at the hearing before the Board, that a particular portion of the land which has been surveyed as lying outside their estate does really form part of the estate No. 406, for which they have all along been paying revenue. This is the island shown as Char Kasim on the map of the present survey. They admit that it is in possession of Government, but they allege that it forms a portion of Parts IV and VI of their estate. There is, however, no proposal before the Board in the present proceedings for the assessment of any land in this island,

inasmuch as the whole island has for long been in the undisputed possession of Government. The claim of objectors cannot therefore be dealt with in the present proceedings. But it may be remarked that, not only has it been for long in the possession of Government, but a comparison of the maps of 1862-63, 1867, 1878 and 1879 and 1912 is sufficient to show that almost all of it, if not the whole of it, lies outside what was shown as Part VI on the map of 1867, and no portion of it could have fallen within what was Part IV on that map.

The objections raised in cases Nos. 296 and 306, are disallowed with costs (Rupees sixty-four) and the proposal made by the Settlement Officer in proceedings Nos. 28 and 29 for the assessment of lands in the possession of the objectors are approved under section 6, Act IX of 1847.

